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A MAGAZINE OF HISTORY, ARCHAEOLOGY
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EDITOR
RALPH EMERSON TWITCHELL

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SANTA FE, NEW MEXICO

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CONTENTS

NUMBER 1—JULY, 1913

NEW MEXICO UNDER MEXICAN ADMINISTRATION, 1821-1846 . REV. LANSING BARTLETT BLOOM 3
CHIEF JUSTICE KIRBY BENEDICT RALPH EMERSON TWITCHELL 50
EDITORIAL 93
BIOGRAPHICAL — SOLOMON LUNA 96
ABRAHAM STAAB 98
R. W. D. BRYAN 99
FELIX H. LESTER 101
HISTORICAL SOCIETY OF NEW MEXICO, REPORT 1913 . . . L. BRADFORD PRINCE 102
MUSEUM OF NEW MEXICO, ANNUAL REPORT JNO. R. MCFIE 110
SCHOOL OF AMERICAN ARCHAEOLOGY AT SANTA FE, ANNUAL REPORT . . . . . EDGAR L. HEWETT 118

NUMBER 2—OCTOBER, 1913

NEW MEXICO UNDER MEXICAN ADMINISTRATION — CONTINUED REV. LANSING BARTLETT BLOOM 131
THE TAOS REBELLION . . . E. BENNETT BURTON 176
COLONEL FRANCISCO PEREA . . W. H. H. ALLISON 210
ANCIENT RUINS OF QUARAI 223
EDITORIAL 226
BIOGRAPHICAL — ALFRED WARRINER COOLEY 228
FATHER ALEXANDER LEONE 230

NUMBER 3—JANUARY, 1914

NEW MEXICO UNDER MEXICAN ADMINISTRATION — CONTINUED REV. LANSING BARTLETT BLOOM 235
THE RE-CONQUEST OF NEW MEXICO, 1692 . . . . . JOURNAL OF DE VARGAS 288
SAMUEL GORMAN . . . . MRS. SAMUEL GORMAN 308

CONTENTS

NUMBER 1—JULY, 1913

New Mexico under Mexican Administration, 1821-1846 .
Rev. Lansing Bartlett Bloom 3
Chief Justice Kirby Benedict Ralph Emerson Twitchell. 60
Editorial 83
Biographical — Solomon Luna 90
Abraham Staab 98
R. W. D. Bryan 99
Felix H. Lester 101
Historical Society of New Mexico, Report 1913 .
L. Bradford Prince 102
Museum of New Mexico, Annual Report Jno. R. McFie 110
School of American Archaeology at Santa Fe, Annual.
Report . . . . . Edgar L. Hewett 118

NUMBER 2—OCTOBER, 1913

New Mexico under Mexican Administration — continued
Rev. Lansing Bartlett Bloom 181
The Taos Rebellion . . E. Burnett Burton 176
Colonel Francisco Perea . W. H. H. Allison 210
Ancient Ruins of Quivira 223
Editorial 226
Biographical — Albino Wagner Conley 228
Father Alexander Leone 230

NUMBER 3—JANUARY, 1914

New Mexico under Mexican Administration — continued
Rev. Lansing Bartlett Bloom 235
The Re-Conquest of New Mexico, 1692 .
Joseph de Te Vargas 258
Samuel Gorman . . . . . Mrs. Samuel Gorman 308

Joseph de Urrutia (map of Santa Fe) 332
El Palacio Real . . . . . Paul A. F. Walter 333
Notes — Reviews — Communications 335

NUMBER 4—APRIL, 1914

New Mexico under Mexican Administration — continued
Rev. Lansing Bartlett Bloom 347
Messages and Documents 369
Volunteer Soldiers of New Mexico . . . . . .
Estelle Bennett Burton 386
The Re-Conquest of New Mexico, 1692 . . . . .
Journal of De Vargas 420
Editorial — Communications — Notes 436
Index 451

ILLUSTRATIONS

Chief Justice Kirby Benedict . . . . . *facing* 2
Solomon Luna . . . . . *facing* 96
Abraham Staab . . . . . *facing* 98
R. W. D. Bryan . . . . . *facing* 99
Felix H. Lester . . . . . *facing* 101
San Francisco Street, Santa Fe . . . . . *facing* 131
Sterling Price . . . . . *facing* 176
Colonel Céran St. Vrain . . . . . *facing* 184
Battle of Embudo 191
Parish Church, Santa Fe . . . . . *facing* 192
Battle of Taos 193
Colonel Francisco Perea . . . . . *facing* 210
Ancient Ruins of Church at Quarai . . . . *facing* 223
Coat of Arms of General De Vargas . . . . *facing* 235
Inscriptions on El Morro by De Vargas and Ulibarri . . *between* 288-289
Facsimiles of Signatures of De Vargas and Captains *facing* 296
Reverend Samuel Gorman . . . . . *facing* 312
Urrutia's Map of Santa Fe, 1768 . . . . . *facing* 332
El Palacio Real . . . . . *between* 332-333
Inscription on El Morro by Oñate . . . . *facing* 337
Old Santa Fe Trail . . . . . *facing* 347
Maxwell's Mansion on the Cimarron . . . *facing* 355
Colonel Kit Carson and General John C. Fremont *facing* 386
Prehistoric Weaving — Blanket Design . . . *facing* 436

OLD SANTA FE

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Vol. I JULY, 1913 No. 1

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CONTENTS

New Mexico under Mexican Administration, 1821-1846 . . . . . REV. LANSING BARTLETT BLOOM
Chief Justice Kirby Benedict . . . . . RALPH EMERSON TWITCHELL
Editorial
Biographical
Historical Society of New Mexico, Report 1913 L. BRADFORD PRINCE
Museum of New Mexico, Annual Report . . . JNO. R. MCFIE
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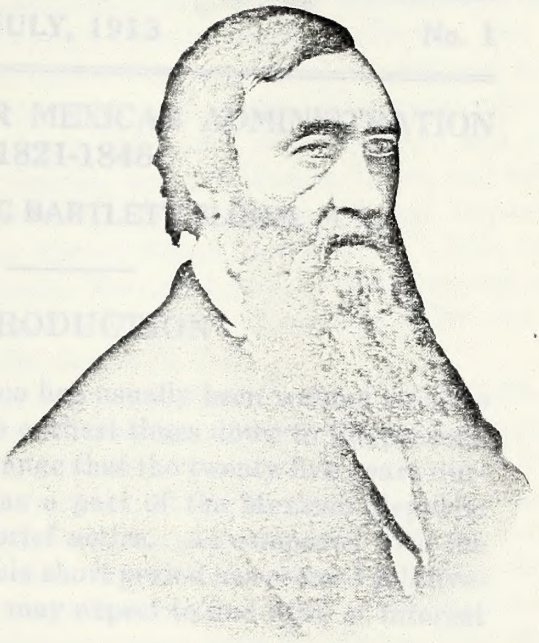
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INTRODUCTION

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When Mexico established her independence, Texas, New Mexico, and the Californias were integral parts of her territory. Actual occupation of these regions by the Mexican people, based upon Spanish discovery and colonization, challenged the "manifest destiny" which was already finding voice in the United States; and it was this quarter of a century which recorded the efforts of Hispano-American civilization to hold fast this enormous region which comprised more than half of her territory. To stem the westward trend of Anglo-American civilization was increasingly discerned in Mexico to be the paramount problem to the north, but incessant national

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instability thwarted the measures which were initiated from time to time.

It now appears very possible that the northern Republic would ultimately have evolved her westward "destiny" through peaceful means, had not Slavery driven her on to intrigue and violence. Emigrants would gradually have preempted Texas, and the "Forty-niners" would have gone in and possessed California despite Mexican efforts. But just before our period opens, Slavery in the United States had begun its final malignant work; and we shall take occasion to note how this economic force and social evil instigated and energized American colonization and rebellion in Texas, and how at last it led to the treacherous absorption of that Department of Mexico by the United States government. This movement was initiated under President Andrew Jackson, was continued under President Van Buren and President Tyler, and was consummated under James K. Polk.

Of the three Departments of Texas, New Mexico, and the Californias, the Mexican government was most strongly established in that of New Mexico. Here the population was greater than in either of the other two, and here also Anglo-American colonization and negro slavery had found no footing.

In New Mexico, however, another force was silently yet effectively at work during these years. We shall see that the commercial relations which grew up between New Mexico and the United States, across the prairies, effected a two-fold result: they gradually loosened the ties which held New Mexico a part of Mexico, and they established new and powerful bonds with the United States. So when the rape of Texas by the latter Republic involved New Mexico in the fortunes of war, the latter Department was found as fruit ripe for plucking. Not a shot was fired when the change of allegiance was effected.

Nevertheless we shall find that it was Slavery indirectly which decided the lot of this Department as well as of the others. That social disease had warped the moral character of the northern nation, and its results brought bitterness to Mexican hearts and shame to Americans. Yet today we may

question whether the wrongs due to a slavery now obsolete should still be cherished by our Mexican brethren long after their cause has been repented of. Did not the American people make sufficient atonement by the blood shed in their Civil War of 1861, and a few years later by the brotherly hand extended to protect Mexico from foreign aggression?

In view not only of the westward expansion of the United States but also of the course of her own subsequent history, Mexico may well think that the control and administration of these Departments would have become an impossible burden to her. She has serious problems yet unsettled with which she can better grapple unhampered by those regions far to the north; and with a more compact territory she may yet work out a unified national life.

Americans on the other hand should understand how they acquired these vast, fair States, stretching from Louisiana to the Pacific coast. We ask our fellow-citizens of the Mississippi Valley and eastward to realize, if possible, that Mexico gave us half her territory, and, inversely, by that forced gift the United States increased her territory by half. Of our ten largest States, Montana is third, and Oregon ninth in size; while from Mexico came the whole of Texas, California, New Mexico, Arizona, Nevada, Utah, and half of Colorado and Wyoming.

At the same time, we who now dwell in this great Southwest, of mingled blood and of blended nationality, pledge ourselves to distinguish between the elements of strength and of weakness which we have inherited from the two diverse lines of civilization. Old customs and traditions in civil, social, and religious affairs, old ways of doing things which have here met from the south and from the east, shall be given up if, but only if, the new are better.

New Mexico was neither such a storm-center as was Texas, nor was she so completely isolated as was California. In this region of which the heart and vital center was "Old Santa Fe," a region which embraced all of Mexico that lay between Texas and the Californias, Hispano-Americanism and Anglo-Amer-

icanism had the best possible court for a fair trial. Aloof from the ever recurring turmoil of Mexico even while participating in the national problems and reacting to the national upheavals; inaccessible to the encroaching designs of Slavery, yet increasingly responsive to the commerce and the enlightening influences which emanated from the United States, New Mexico was so situated during the Mexican régime that her citizens could not but estimate, however unconsciously, the relative merits of the two types of civilization.

Here let it be stated that no view is expressed in these pages which is not based upon the records left by contemporary Mexicans of that period. Should a quotation from any extraneous authority be questioned by the reader, he is asked to note in any such case that the quotation is never at variance with contemporary Mexican authorities but always agrees with, emphasizes, and enlarges upon, reliable original sources.

Hispano-American civilization as exemplified in Mexico was on trial during these twenty-five years, and the New Mexicans of 1846 gave the verdict. Let us review the case together, calling upon the men of that period to be the witnesses and using original sources for our evidence.

OUTLINE

NEW MEXICO UNDER MEXICAN ADMINISTRATION, 1821-1846

PART I

NEW MEXICO IN 1822

Chapter I — The Country
Chapter II — Its Resources
Chapter III — The People
Chapter IV — Their Economic Activities
Chapter V — The Provincial Government
Chapter VI — The Church

PART II

NARRATIVE HISTORY OF THE YEARS 1821-1837

Chapter I — Independence Established
Chapter II — First Steps
Chapter III — Province Waiting upon Nation
Chapter IV — New Mexico Becomes a Territory
Chapter V — Economic Matters
Chapter VI — Two Years of Quiet Development
Chapter VII — Evidences of Weakness
Chapter VIII — Hampered Growth
Chapter IX — Contemporary Opinions on New Mexico in 1832
Chapter X — A Turbulent Year
Chapter XI — Reaction: Army and Church against Liberalism
Chapter XII — Changing to the Departmental System
Chapter XIII — The Insurrection of 1837

PART III

NEW MEXICO AS A DEPARTMENT, 1837-1846

Chapter I — New Mexico in 1838
Chapter II — Slavery and Texas
Chapter III — Commerce and New Mexico
Chapter IV — A One-Man Administration, 1838-1844
Chapter V — Texan Aggressions, 1841-1843
Chapter VI — Constitutional Government Reëstablished, 1843-1844
Chapter VII — A Year under an Alien Governor
Chapter VIII — Six Months under the Senior Deputy
Chapter IX — A Third and Last Chance for Manuel Armijo
Chapter X — The Texan Crisis in the United States and in Mexico
Chapter XI — The Closing Months of Mexican Administration
Chapter XII — Passing from Mexico to the United States

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Chapter V — Economic Matters
Chapter VI — Two Years of Quiet Development
Chapter VII — Evidences of Weakness
Chapter VIII — Hampered Growth
Chapter IX — Contemporary Opinions on New Mexico in 1832
Chapter X — A Turbulent Year
Chapter XI — Inertia; Army and Church against Liberalism
Chapter XII — Changing to the Departmental System
Chapter XIII — The Insurrection of 1837

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Chapter II — Slavery and Texas
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Chapter V — Texan Aggressions, 1841-1843
Chapter VI — Constitutional Government Re-established, 1844-1844
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Chapter IX — A Third and Last Chance for Mexican Armijo
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Chapter XI — The Closing Months of Mexican Administration
Chapter XII — Passing from Mexico to the United States

PART I — NEW MEXICO IN 1822

CHAPTER I

THE COUNTRY

THE colonial history of New Mexico had its beginning contemporary with the colonial period of the United States. The settlement of Santa Fe in 1609 yielded priority only to Jamestown, Virginia, in the Thirteen Colonies.

The provincial period, however, was much longer in New Mexico. When the young Republic to the east was acquiring the vast Louisiana country in 1803, and thus first touched the borders of New Mexico, that little Spanish province was "already venerable with two centuries of history under European government."[1] And before Mexico attained her civil independence in 1821, the United States had acquired Florida, and her first slavery controversy had been settled by the Missouri Compromise of 1820.[2]

Geographically, the New Mexico of 1822 lay entirely south of the significant parallel, 36° 30′; or rather the actual settlements did not extend north of that line. This fact was later to affect the destinies of New Mexico; but at this time the province was so isolated that Mexicans failed to grasp the underlying danger due to the social structure of the Slave States.

[1] The date of the founding of Santa Fe is not known exactly, but it is very improbable that it was earlier than the date given. The indications are that Oñate was not the founder. The next governor was appointed by the king *in Spain* in 1608, and therefore it is certainly doubtful that the new governor was in New Mexico before the opening of 1609. That the *cabildo* of Santa Fe should write of that place as they did on January 3, 1617, as the *nueva población* gives a strong suspicion that the founding was really later than 1609. *Vide* Bancroft's Works, xvii, 158-159, with quots. from Calle, *Noticias*, 103, and Vetancur, *Chrónica*, 95-96. Also Read, *Illust. Hist. of N. Mex.*, 247, quot. from Calle (wrongly attributed to Barreiro).

[2] Chittenden, *Hist. of Amer. Fur Trade of Far West*, ii, 483.

It is true that uneasiness and distrust of the United States had been growing in New Mexico for some years, aroused primarily by the Louisiana Purchase and strengthened by the American trappers, traders, and explorers who were already penetrating westward over the great prairies.

This sensitiveness with regard to American purposes had been voiced as early as 1812 by her deputy, Pedro Bautista Pino, when in the Spanish Cortes he spoke on the resources and needs of "the ancient Province of New Mexico." Referring to "the imminent risk of being seized by our neighbors, and so leaving the other Provinces exposed, one after another, to the same fate," he said the purchase of Louisiana "has opened the door to them both to arm and incite against us the gentile nations, and also to invade the province for themselves; and once lost, it will be impossible to recover it."[3]

To appreciate the isolation of New Mexico, we may well quote from Pino's argument for a larger military force: "No force of all those in Spanish America can recount such services as can that of New Mexico. It has had 118 years of continuous wars with the 33 nations of Gentiles which encircle it, and has not, to date, lost a handbreadth from its original boundaries. It has cost her great vigilance and toil, many a loss of people and of means, but their valor and firm adherence to the crown of Castile has made them scorn the threatening dangers in which they have repeatedly found themselves. Possibly the people of the United States have been more impressed by this loyal adherence than have the people of Old Spain. Informed of the neglect with which that Province has been looked upon, they have tried in various ways to beguile it to themselves. They have tried, now with the flattery of a profitable commerce, now through mild and favoring laws, to unite this charming bit of territory to the Louisiana Purchase, with which we join boundaries; but neither by this means, nor by that of threats in constructing forts in our region,[4] nor by arming the Gentiles

[3] Escudero (editor), Pino's *Noticias Hist. de N. Mex.*, 37.

[4] A reference to Lieut. Zebulon Pike, sent by the United States government in 1807 to explore the Louisiana Territory. He built a little fort in what proved to be a part of New Mexico.

against us — by no [means] have they succeeded. . . .''[5] And again, he said, ''If the other provinces have enjoyed tranquillity, if they have been able to engage in agriculture and manufactures, it is due to the Province of New Mexico, which is and always has been with gun in hand,'' surrounded by Indians ''who are always observing them and surprising them at the least carelessness.''[6]

The value of New Mexico as a buffer for the other provinces of northern Mexico was more theoretical than actual. All through these years the Apaches, Utas, Navajoes, and others, were an unceasing scourge, not only on all sides of New Mexico but far south as well. The same picture of continuous devastations ''has always been presented in Chihuahua, Coahuila, Nueva Leon, Tamaulipas, and even Durango, Zacatecas, and San Luis Potosi.'' ''The worst of it is that the condition in such an immense country cannot be overcome until the population is greater.''[7]

The *Gaceta Imperial* of Mexico City, December 4 and 8, 1821, reported that ''the authorities of the remote city of Saltillo undertook to notify the savage tribes which were marauding on the frontiers of the North and the province of Texas, of the success of the Independence, believing that they might thus be pacified. . . Those tribes after difficult explanations comprehended and celebrated the Independence, entering into a treaty of peace. The issue was of great importance, for the barbarous tribes had been for many years the devastating scourge of those regions, and it was no small fortune to find a way to agreement with those savage men; . . . but later, incidents occurred which amounted to folly, and what is worse, the progress in this matter was lost and the barbarous Indians returned to their depredations.''[8]

With this glimpse of Indian troubles to the south of New Mexico, let us also realize the vast distances by which our province was isolated, and again, the slight and difficult intercourse

[5] *Op. cit.*, 41-2.
[6] *Id.*, 44.
[7] *Mejico á través de los siglos*, iv, 148.
[8] *Id.*, iv, 27 (quot.).

which she had with the outer world, and we may then appreciate the hardihood and tenacity of her people.

If Saltillo was remote from the capital city in 1822, Chihuahua was even more so. And yet from Chihuahua, Santa Fe was still 260 leagues to the north; and in 1822 El Passo del Norte was the only settlement of any size in that whole distance until Valverde and Socorro were reached. As late as 1843, all the country south of Socorro was referred to in New Mexico as "la tierra afuera."[9] The most western of the United States in 1822 was Missouri; and a traveler from Santa Fe to Franklin, Missouri, faced over 700 miles of mountain, desert, and prairie, inhabited only by roaming Indian tribes. To the missions on the California seaboard it was equally far; and northwards were only barbarous Indians and occasional trapping and trading bands.

An accurate map of New Mexico in 1822 would be somewhat difficult to draw. The area actually occupied would needs shade off into a wide, ill-defined penumbra of uncontrolled Indians and trackless wilds, for so did New Mexican claims spread out from Santa Fe as a focus. A naïve illustration of this appears in a little history of New Mexico which was written in 1832: "In the year 1611, Captain Juan de Oñate set out from this country towards the east and discovered the Canízbaros lakes (but it is not known which they may be), and also a red river which seems to be that of the Cadaudachos . . . and from this occupation comes the indubitable right which the nation has to all the lands which are found to the east of this territory."[10] Colonial aspiration and optimism are not absurd; they are a young people's hope and faith in the future.

A confusion of rivers by some French explorers led them to claim to the left bank of the Rio Bravo del Norte, but the claim was never recognized by Mexico, and it was ignored by the United States in the boundaries recited in the Florida Treaty of 1819-1821.[11]

[9] N. Mex. Hist. Soc. Mss., June 11, 1843.

[10] Barreiro, *Ojeada*, 7.

[11] *Id.*, 6.

The boundaries of the Louisiana Purchase as fixed by the above treaty became those of New Mexico on the east and north. Southeast, the boundary crossed unknown lands between New Mexico and Coahuila and Tejas. Northwest and west were other regions little known, but the boundary claimed was made by the Colorado River, beyond which lay Upper California. On the south, New Mexico was bounded by the State of Chihuahua, the district of El Paso being included in New Mexico as late as 1824.[12] Now when we compare these boundaries with the places to which the people themselves referred as "on the frontier," we find a marked contrast. On March 21, 1835, a member of the Territorial Deputation urged that detachments be posted on the frontiers of Abiquiú, Ojo Caliente, Jemes, and Laguna.[13] In 1837, Taos was made a port of entry. In the 20's, there is repeated reference to "the frontier of Bado," or San Miguel del Bado. In April, 1822, Socorro, Sevilleta, and Balverde were spoken of as "new settlements." (*id.*) When Valverde was broken up by the Apaches and the district of El Passo del Norte was made by Congress a part of the State of Chihuahua, Socorro became the southern frontier and remained so throughout our period.[14] Then and until 1842 there was no settlement between Socorro and El Paso; and further, the dreaded Jornada del Muerto [15] had to

[12] *Legisl. journals*, mss., for years 1822-1846, 5 vols., in Santa Fe Fed. Land Office.

[13] *Ibid.*

[14] Kendall, *Tex.-S. Fe Exped.*, 292.

[15] "Day's Journey of the Dead Man." The region south of this *jornada* and extending well down towards El Paso has since become famous as the Mesilla Valley. The Bracito grant (18,859.48 acres) was made in 1818 to Juan Antonio Garcia, and was occupied by him and his herders until 1822. But in the summer of that year the Indians compelled its abandonment.

The Santa Teresa grant, made in 1768, lay west of the Rio Bravo and a little north of El Paso; but the main route here lay on the other side of the Rio. A grant secured from the ayuntamiento of El Paso in 1823 by John G. Heath was revoked by the Provincial Deputation in Santa Fe and came to nothing.

The only other grant made in this valley during our period was to the Doña Ana Colony in 1840. Fourteen men arrived in February, 1842, and by April had dug an eight-mile acequia. Between that time and 1847 some 500 people became settled there. For further information on this region *vide* Maude McFie Bloom, *A Hist. of the Mes. Val.*

be crossed by everyone who would travel for any cause between the settlements of New Mexico and the outer world to the south.

The above data give us a clearer idea of the territory which was actually held by the New Mexicans of 1822, and as we consider this restricted area we see at once that New Mexico shaped itself to the Rio Bravo and its immediate tributaries. This river, the most important in all the Republic of Mexico, was well termed by Barreiro the "Nile," and "the soul of the Territory." "The richest settlements are along her truly picturesque margins," and from Taos on the north to Socorro on the south, from Bado on the east to Laguna and Jemes on the west, all the pueblos, plazas, and ranches were placed relative to the Great River.

From a work published in 1833 we have an alphabetical list of the settlements in New Mexico.[16] The "*administrador principal de correo*" in Chihuahua had this list for the forwarding of mails; and few if any of these places were not already established in 1822, and it is, therefore, given complete.

Cities: C. Villas: V. Ayuntamientos: A. Pueblos: P. Missions: M. Mines: RM. Ports of Mark: PM. Presidios: CP. Plazas: PZ. Haciendas: H. Ranchos: R.

To the post-office of Santa Fe, New Mexico:

Abiquiú .....PA.	Nambé .....P.	Caballeros .....P.
Alamo .....R.	Ojo Caliente .....P.	Santa Ana.....P.
Bado .....PA.	Pecos .....P.	Santa Clara .....P.
Bajada .....H.	Peña Blanca.....PZ.	Sta Domingo de
Bernalillo .....PZ.	Pecuries .....P.	Cuevas .....P.
Cañada .....V.	[P]Ojuaque .....P.	Taos .....P.
Chile .....R.	Rio Arriba .....PZ.	Jiminez [Jemes?].P.
Ciénega .....R.	San Felipe.....P.	Zia .....P.
Cochití .....PA.	San Ildefonso.....P.	
Embudo .....PZ.	S. Juan de los	

To the post-office of Tomé, Territory of New Mexico:

Ácoma .....P.	Balverde .....R.	Chavez or
Alameda .....PZ.	Belen .....PA.	Padillas .....PZ.
Albuquerque .....V.	Casa Colorada...PZ.	Chamisal .....PZ.

[16] Escudero, *Noticias Hist. de Chih.*

Enlames .....PZ.
Garcias .....PZ.
Gavaldones [Algodones?] ..PZ.
Jarales .....PZ.
Lentes y Lomas..PZ.
Pajarito or Gutierrez .....PZ.
Pinos .....PZ.
S. Antonio de Corrales .....PZ.
S. Agustin de la Isleta .....PA.
Sandia .....P.
San Fernando ...PZ.
S. José de la Laguna .....PA.
Sauzal .....PZ.
Sabinal. .....PZ.
Sevilleta .....PZ.
Socorro .....PA.
Socorrito .....PZ.
Trujillas .....PZ.
Valencia .....PZ.
Zuñi .....P.

The only communication between the province of New Mexico and the outer world was by channels of commerce and by post-carriers. This was true not only in 1822 but all through the period which we are studying. The commercial relations of New Mexico we shall leave to be described in a later chapter; but we are afforded an interesting insight into the communication by post-carriers through the work already quoted. The following table gives the points touched by the fortnightly mails between New Mexico and Chihuahua:

From Chihuahua to the	(jornadas)		
Hacienda of El Sauz.....	1	Rancho de Tomé.....	1
Hacienda de Encinillas.....	1	Villa de Alburquerque.....	1
Presidio del Carrizal.....	1	Pueblo de Bernalillo.....	1
Villa del Paso.....	1	Pueblo de Sandía.....	1
Rancho del Canutillo.....	1	Pueblo de Algodones.....	1
Rancho de Abalos.....	1	Pueblo de S. Felipe.....	1
Rancho de Montes.....	1	Pueblo de Sto. Domingo.....	1
Rancho de la Gallega.....	1	Pueblo de Ciénega.....	1
Rancho del Bracito.....	1	Villa de Santa Fe.....	1
Rancho de la Partida.....	1	Leagues outgoing 130	
Rancho del Sabinito.....	1	Leagues returning 130	
Pueblo de la Joya.....	1		
Rancho de los Enlames.....	1	Total 260	

The above tables show that there were only two postoffices in New Mexico — Tomé and Santa Fe; and that each served as a distributing center for its respective group of settlements. Bracito was the point midway between Santa Fe and Chihuahua, being 130 leagues from each. At that place the mail-carrier from Santa Fe met the carrier from Chihuahua twice a

month and exchanged mail-pouches. He covered the distance going and coming in 13 days; and as the last table shows that there were 13 "day-journeys" between Santa Fe and Bracito, we see that he rode at just twice the speed of ordinary travel, making a daily average of about 45 miles. "The carrier departs on the 1st and 15th of each month, as formerly, and receives no more support than 40 pesos, which is furnished him at his departure on each trip." (*id.*)

Now through-mail for the Capital had to be carried on for the 393 leagues from Chihuahua to Mexico City, which was half as far again as from Santa Fe to Chihuahua. If the mails made good connection in Chihuahua, new laws passed by Congress, for example, would not reach our province in less than 33 or 35 days. Therefore, should Congress invite an expression from the States and Territories on some matter of common interest, the reply from the Territorial Deputation of New Mexico could not reach Congress in less than two months, even by "correo violente."

What was true in the 30's in this respect was of course true in 1822. The people of New Mexico were kept informed of national events by "oficios" (official communications); but they were always a month behindhand in the receipt of information, and consequently had no practical share in national affairs. This fact must be borne in mind, for it affected materially the course of events in New Mexico. It will become more evident of course as we go on to study the life and activities of the people, but in this view of the country the impression above all others is that of remoteness. New Mexico was a frontier province, shut in upon her own resources and shut out in a very large measure from the "tierra afuera" by meager intercourse, by hostile Indians, and by vast distances.

CHAPTER II

RESOURCES OF THE COUNTRY

BEFORE considering the industries and the commerce of New Mexico in 1822, it will be well for us to know something of her resources and their availability.

The resources of New Mexico at this period can be seen best through the eyes of Pedro Bautista Pino and of Antonio Barreiro.[17] Describing the products of the country in 1812 before the Spanish Cortes, Pino said: "In New Mexico are raised all the fruits that grow in Spain and much better than in all other places of New Spain. In none of the other North American countries, so say travelers, is found such wine for flavor and strength as in New Mexico. Particularly is this true of the immense vineyards of El Passo del Norte, which is proved by the price of 1 real a pint (which is paid) 200 leagues from where it is harvested. Corn and wheat yield 100%, in average years the price being 1 duro a fanega."

Twenty years later Barreiro wrote: "Her fruits are few, but of especial flavor. There are very good apples, apricots, strawberries and mulberries, wild plums, grapes, peaches, cher-

[17] The former was the distinguished son of the Province who was, by a special electorate, chosen to represent New Mexico in the Spanish Cortes at Cádiz, and whom his colleagues there named the "Abraham of New Mexico." His report, in November, 1812, was published at Cádiz the same year; was annotated by Barreiro in 1839; and, with additional notes, was edited in 1849 by Licenciado José Agustin de Escudero. As a youth, Don José had accompanied his father, Don Manuel Simon de Escudero, to New Mexico in 1825, an additional fact which makes his *Noticias Historicas* an authority for the years we are studying.

At the request of the federal government in 1832, Lic. Antonio Barreiro had already written his *Ojeada sobre Nuevo Mexico*, a descriptive sketch of the Territory at that time. He had then been in New Mexico for more than a year as the official "legal adviser," and he had employed the leisure from his duties in preparing this work. That the *Ojeada* is a dependable source we may believe from the fact that in 1833 and 1834 Barreiro was elected for successive terms as the New Mexican deputy to Congress.

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Twenty years later Barreiro wrote: "Her fruits are few, but of especial flavor. There are very good apples, apricots, strawberries and mulberries, wild plums, grapes, peaches, obter-

ries, and excellent melons."[18] Vegetables were abundant and included beans, peas, lentiles, and squashes.

"Besides the fruits of Europe there are also found tobacco and cotton. The first is worth 4 reals a pound, and the second (which is sold by the 'almud') is worth 3 'duros' a 'fanega.' . . The sierras present very agreeable sights because of their wooded slopes. In them are various classes of valuable trees . . . firs of more than 40 yards tall and 6 or 7 thick, pine, cedar, oak, and others, finely adapted to all kinds of uses by their beauty and hardness."[19]

Of wild game, Barreiro said: "There is an abundance of deer — yellow, brown, and long-tail — bears of all kinds, rabbits, hares, partridge, quail, crane, duck, geese, and other exquisite animals. In the rivers are caught trout, eel, catfish, stickle-back, and mud-turtle, all of good taste and the last up to a weight of two pounds." Other animals reported were eagles, foxes, wolves, beaver, horned lions, the mountain-sheep or cimarron, the mustang, and above all the buffalo. The last was given first place by both Pino and Barreiro, because of the vast herds and because of its great value to the New Mexicans.

In a footnote[20] is given a statistical table made in 1827 of the

[18] *Ojeada*, 21.

[19] "Pino," 64. The "peseta," weighing 5 grams and being worth $.50 silver, was the monetary unit. 4 "reales" were equivalent to a "peseta," and the "peso duro" was worth 5 "pesetas."

The "almud" is the twelfth part of a "fanega," the latter being approximately the English bushel.

[20] Information on the Flocks and Herds of the Territory of New Mexico, (in an "Adición" by Barreiro, *Pino*, 24).

	In the capital city of Santa Fe, its alcaldías & pueblos		In the "prov." of the villa of Albuquerque, etc.		In the "prov." of the villa of Cañada, etc.		Totals	Values
Cattle	1,450		2,550		1,000		5,000	
Total Value		11,600		20,400		8,000		40,000
Sheep & goats	62,000		155,000		23,000		240,000	
Total value		91,000		77,500		11,000		120,000
Horses	184		192		174		550	
Value		1,840		1,920		1,740		5,500
Mules	592		868		690		2,150	

livestock of the Territory. Of the small stock Barreiro said: "Goat-herding is not a branch which can be said to be considerable; and the herding of swine is in complete abandon." On the other hand, "the thousands of sheep which are bred in the Territory are without example in all the Republic. This stock increases from day to day in a manner almost incredible, and it can be said that if New Mexico establishes peace with the barbarous nations upon a permanent footing and attains that degree of enlightenment whereby she may appreciate the advantage possible for her in the sheep-industry, she will flourish by this branch alone as much as Chihuahua has by her mines. Happy the time when the government shall extend a protecting hand towards this soil, since then, these fields now waste and desert will be converted into rich and happy pastures!" [21]

The mineral resources were already known to be great and valuable. Pino reported, "there are many mineral veins in the sierras of silver, gold, copper, iron, lead, etc." Barreiro wrote also of hard coal, jasper, sulphur, gypsum, alum, talc, and salt beds. Among the clays he referred especially to a "stone-clay" black in color from which could be turned all sorts of vessels for the common use of the house. This was found at the pueblo of Acoma. Of colored earths there were blue, green, yellow, white, bright red; and at Zuñi an exquisite Prussian blue. There were also fine quarry stones but they were undeveloped.

"The surface of the country is cut from south to north by the great Cordilleras, so that one might expect the regions to be mountainous; but the greater part consists of extensive plains and delicious valleys, clothed with the most delicious pasturage.

Value		14,800		21,700		17,250		53,750
Mares	93		105		102		300	
Value		744		840		816		2,400
Total herds	869		1,165		966		3,000	
Value		17,384		24,460		19,806		61,650

Santa Fe del Nuevo Mexico, Abril 8 de 1827.—Antonio Narvona. Certified copy, Santa Fe, 30 de Octubre de 1829. —José Antonio Chavez.

[21] *Ojeada*, 21.

"It has rivers of great volume and completely separated. Such are the Pecos, Colorado, Napeste,[22] and others; but the chief is the Brave River or River of the North." The tributaries of this Rio Grande within New Mexican territory were, as listed by Barreiro: the Taos, don Fernando, Tesuque, Mora, Tecolote, Gallinas, Pecos, Santa Ana,[23] Puerco, Santa Barbara, Ojo Caliente, Chama, Picuries, and Santa Fe. "This voluminous Nile is, so to speak, the soul of the Territory. . . The variety of her luxuriant groves, the beautiful woods which adorn it, the varied scenes which the meadows present, cultivated by a multitude of toiling men, the numberless flocks which quench their thirst in her torrents, and that unlimited host of gay birds which people it, as well as the many savory fish which its waters sustain, make New Mexico seem to the observer like a place of veritable delights. . . The melting snows cause its extraordinary freshets which begin in April, reach their height in May, and subside in June. . . The river is fordable except in time of freshet and then it is passable only by canoe."[24] The only lake of importance was that near Laguna pueblo, the waters of which were available for some of the fields.

Barreiro called attention to the water-power available on the Santa Fe River, and the same was true of other streams. But the value of her rivers above all else New Mexico found in their utility for irrigation. Had the inhabitants been compelled to rely upon the rainfall, the country would never have been colonized. But every settlement had at least one "mother acequia" from which smaller ditches were used to carry the water over the fields.

Some years less snow would be stored in the mountains and so the rivers would supply less water for irrigation. The Pueblo Indians were more provident against such times of drought than were the other New Mexicans, for they always kept plenty of corn stored over. Yet Barreiro says that in years of sterility or lack of seed, the beautiful and fruitful val-

[22] Now the Arkansas River.

[23] Now the Jemes River.

[24] *Ojeada*, 7.

ley of Taos supplied all New Mexico, and there always remained for those inhabitants sufficient for themselves.[25]

As to the climate and the accessibility of the different parts of New Mexico, we learn from Barreiro: "The roads of the interior of this Territory are generally convenient, because most of them go along the rivers and through settlements where there is much hospitality. All are wagon-roads except that which leads to Taos by way of La Cañada. There a high sierra scarcely allows horses to pass. . .

"As a general observation it is said that it is colder in New Mexico than in Europe in the same latitudes. . . Winter regularly begins in September and has its greatest rigor in December and January. By February it lessens and by April and May the temperature is highly agreeable.

"Many years the snows are very abundant, especially in the heights where they always remain. When the winter is extreme the cold becomes unsupportable, the most voluminous rivers freeze almost to their bed, and the ice takes such consistency and thickness that loaded wagons, pack-trains, and horsemen cross on it and it serves for every kind of traffic like a solid and well-constructed bridge.

"Many times in the dairies the milk freezes almost on issuing from the cow's udder and one can carry it to his house in a napkin to melt and use as wanted. In short, after this style the cold produces strange and surprising phenomena." Probably realizing that it would be wise to modify the impression which he was making, Barreiro continued: "Some will believe that, this being so, man will be unable to live in this country. But this is a spectre by which various people are alarmed, since New Mexico has a truly healthful climate. Here people live to prolonged days and there are numberless old people of 90, 100, and even more years. On the other hand, the climate is mitigated by the abundant and rich pelts with which this country allures, and the houses have winter-apartments with warm and elegant furnishings where the hearths are always glowing." [26]

[25] *Ojeada*, 15.

[26] *Id.*, 11-2.

The above quotations give us a very complete idea of the resources upon which the New Mexicans of 1822 could draw, and also some idea as to how far those resources were available. In concluding this chapter it will be well to speak briefly of how the people occupied and held their lands.

Before Mexican Independence was secured, grants of land were made by the Spanish monarch, or by the viceroy in Mexico City, subject to the king's approval. Of the some hundred grants in New Mexico made previous to 1822, three-fifths were made to individuals or to families; the balance were community-grants. Of course these grants varied greatly in size, the lands allotted to the Pueblo Indians, for example, consisting of but a few square leagues; yet the average area for the whole number was over 100 square miles.

How many of these grants remained unoccupied in 1822 we do not know. We do know that the menace of raids by gentile bands was almost constant and, therefore, it was out of the question for a grantee to establish a ranch unless his family and peons were in sufficient number to afford some degree of protection.

In the postal directory given above it will be seen that La Bajada is the only point listed as an "hacienda," and the only "ranchos" included are Alamo, Chile, Ciénega, and Balverde. This does not mean that there were no other ranches or even haciendas, but it does indicate that circumstances made it desirable for the people to have their homes near together. In this respect they but imitated the Pueblo Indians whose communal life dated from pre-colonial times. The Indian type of edifice, of two to four or more stories in height and with ingress only by ladder, was well adapted to repel their nomadic enemies. The Mexican "plaza" was similar in idea, for the houses joined together around a common square, and thus in case of attack served as a fort. In fact the family dwelling, built around a patio, carried out the same idea. An hacienda was a large ranch, the families of whose servants or peons lived upon the estate. So it may be seen that plazas, or towns, might have become established either upon private estates or upon original community-grants.

CHAPTER III

THE PEOPLE OF NEW MEXICO

To complete our description of New Mexico in 1822, we have still to study the people, their social organization, and their economic activities.

The people were descendants of two distinct stocks: native Indian and colonizing Spaniard. The Indians were all tribal, but they again represented two distinct ethnic types: Pueblo and those who may be classed as "barbarous."[27]

Both Pino and Barreiro give considerable attention to the barbarous or "Gentile" Indians. These had not been amenable to the missionary efforts of the Franciscan frailes, and "if he will not hear the church, let him be unto thee as the Gentile." Altho they were not a part of the body politic or ecclesiastic, yet they always seemed so ready to take an active part in the affairs of New Mexico that they should have some notice at least.

Of the Apaches Lieutenant Pike wrote in 1807: "The Apaches are a nation of Indians who extend from the Black Mountains in New Mexico to the frontiers of Cogquilla [Coahuila], keeping the frontiers of these provinces in a continual state of alarm, and making it necessary to employ nearly 2,000 dragoons to escort the caravans, protect the villages, and revenge the attacks they are continually making." These, "the most extensive and powerful, yet the most vagrant of all in the interior of northern Mexico," were supposed to number about fifteen thousand, although subdivided into various petty bands and scattered over an immense tract of country. Barreiro

[27] An ethnological map of North America has been made which distinguishes between savage, barbarous, and semi-civilized Indians. Spanish colonization followed pretty closely the area covered by the semi-civilized Indians and encroached very little upon that held by the barbarous tribes.

lists as Apaches "the Tontos or Coyoteros, Chiricahues, Gileños, Mimbrereños, Faranos, Mescaleros, Lipanes, Xicarillas, and others."

The Mescaleros were east of the Rio Grande, but most of the Apaches were to the west of that river. Their range took in some parts of California, most of Sonora, the frontiers of Durango, and at certain seasons reached even Coahuila; but Chihuahua suffered the most.[28]

Said Pino, "They are the most malignant and cruel of all: always naked, always murdering by treachery and robbing. They torture their prisoners in the most cruel way, scalping them alive and carving their bodies in small bits. Finally, the Apache, roaming from one place to another, has no other bridle to his wanderings than his fear of the valiant and honorable Comanche — a nation which restrains all the others in a way most useful and advantageous to us and which, as also the Navajo, would become part of the Spanish realm at very little cost." [29]

At that time (1812), Pino stated that they were at peace with the Yutas, the Navajoes, and the Comanches, "which are the three most powerful nations and which have put the Province in the greatest danger of being lost." "The Comanche is known in all those parts for his sturdy and fine presence, his open and proud bearing and decent attire (especially the women), and for other qualities which commend him." [30] "The Navajo nation is 25 leagues from our frontier, between the pueblos of Moqui and Suñi and the Capital. It has lands and minerals of the richest, according to those informed." "The Yuta nation inhabits a country of great expanse. Although they favor the above two somewhat (Comanche and Navajo), the propensity to theft is stronger with them than the glory of being virtuous by nature." Gregg, writing in 1843, said that the Yutas were "scattered from the north of New Mexico to the borders of the Snake and Red Rivers. . .

[28] v. Gregg, *Commerce of the Prairies*, i, 289.

[29] "Pino," 87.

[30] *Id.*, 83.

Their habits are altogether itinerant."[31] The last author estimated the Yutas and the Navajoes at about 10,000 each.

Another nation of Gentiles was the Cayguas, or Kiowas, who occupied the "prairies near the headwaters of the Wichita, Colorado, Brazos, and Red Rivers."[32] The New Mexicans had little to do with them, but even in 1822 bands came into the settlements at times.

The ethnic character of the Indians who have been thus far considered was patronymic, all relationships being traced through fathers. It might be necessary to qualify this statement in part with reference to the Navajoes; but as a general fact it indicates a significant distinction between the Gentile and the Pueblo Indians.[33]

For the Pueblo Indians were all matronymic. Each tribe comprised two or more clans, and the children became members of the mother's clan.[34] Each clan had its own *estufa*, the council-chamber and center of their native worship. "In matters of war, politics, and religion, each individual adhered strictly to his clan."[35]

In 1630, Fray Benavides classified all the Pueblos as eleven "nations." "Confederation" would better express their relation to each other, but even this term is too definite; for, even with relatively few idioms and with the same culture and activities, they banded together, few or many of them, only in times of war against their Spanish or Gentile enemies. The history of the revolt against the Spaniards in 1680-1698 reveals some degree of social consciousness and coöperation among the Pueblo people, but constructive results were wholly lacking.

In 1583, Espejo reported 74 pueblos visited, 58 of which had 253,000 population. When Castaño visited Pecos in 1590, that

[31] Gregg, i, 299.

[32] Kendall, 152.

[33] The Navajoes are believed to be more or less of Pueblo stock, which would account for the exception in their case. v. Hewett, Smithsonian Bul., no. 32, 16.

[34] A curious confusion has developed in this regard. The Pueblo Indians have two sets of names, and their Spanish family names are now generally patronymic.

[35] Blackmar, *Spanish Institutions of the Southwest*, 246.

pueblo had 16 *estufas*, indicating an equal number of clans.[36] Bandelier has concluded, however, that the population in the 16th and 17th centuries was more probably about 25,000; and yet from that number they had been reduced from various causes to 8,806, as reported in the census of 1789.[37] In 1822, there were only 20 Indian pueblos, which may be classified as follows:[38]

LINGUISTIC STOCK	GROUP	TRIBES OR VILLAGES
Tanoan	Tewa	Nambé, Tesuque, San Ildefonso, San Juan, Santa Clara, Pojoaque
	Tigua	Isleta, Sandía, Taos, Picuries
	Jemez	Jemez, Pecos
	Tano	(No complete pueblo)
	Piro	(No complete pueblo)
Keresan "Queres"	Eastern	San Felipe, Santa Ana, Cía, Cochití, Santo Domingo
	Western	Acoma, Laguna
Zuñian	Zuñi	Zuñi

The Hopi Pueblo Indians were never included under New Mexican administration, but we might mention in this connection the pueblo of Abiquiú, a frontier town made up of *genízaros* or people of mixed blood, captured or recovered in the wars with the barbarous Indians.

The Pueblo Indians were an industrious people, provident and simple, brave but not aggressive, communal in all their affairs. They were nominally under the jurisdiction of the federal government as Mexican citizens, but each pueblo had its own *cacique* and *principales*, and also its own "governor" and other civil officers for each year, who were named by the cacique and approved by the people.

Part of their submission to Spanish rule had been the ac-

[36] Bancroft's Works, xvii, 90, 103.

[37] Benavides estimated them in 1630 at 80,000. Also v. Salpointe, *Soldiers of the Cross*, 146-7.

[38] v. *Handbook of American Indians*, art. "Pueblos," by Hodge. "The Pueblo people of history comprise the Tanoan, Keresan (Queres), and Zuñi linguistic families of New Mexico, and the Hopi, of Shoshonean affinity, in northeastern Arizona."

ceptance of the religion of the conquerors; and in reading the Spanish records of their subjugation one notes repeatedly that such and such a pueblo brought so many hundred children to be baptized. Yet each pueblo kept its own religious rites and dances, on which were merely superimposed the ritual and forms of the Roman Catholic church.[39] Their own institutions persisted in the presence of a higher civilization. Gregg wrote in 1843: "Although they are famous for hospitality and industry, they still continue in the rudest state of ignorance, having neither books nor schools among them, as none of their languages have been reduced to rules and very few of their children are ever taught in Spanish."[40]

The pure Spanish population of New Mexico at the time of Mexican independence was a small minority, but it was they who "monopolized the posts of honor and influence, as well as the large landed estates and the commercial wealth of the country."[41] Their real and affected superiority weighed heavily upon the race of mixed blood. They held themselves above their fellows and yet at the same time they controlled in church, army, and state. The relatively few educated persons also were found among them, and with all the privileges and powers thus indicated it would be strange had they not, at times, wronged the Indians and the humbler Spaniards.

As for the poor and criminal Spaniards who were shipped out by the Spanish government to colonize New Spain, it is probable that relatively few entered New Mexico. Of the land-grants made to community-settlers, most without doubt were made to those who were already New Mexicans or who came from the northern parts of Mexico. There is small reason to think that the turbulent element of which Salpointe speaks affected our Province at all.[42]

There is no complete census for the opening of our period

[39] The strange blending of the Roman Catholic and the native religions is even today observable in all of the Indian pueblos.

[40] Gregg, i, 275.

[41] Quot. by Salpointe, 110.

[42] *Id.*, 109.

but it is possible to make a fairly close estimate. The table given in a footnote will be found to give the desired information for all except the three largest jurisdictions.[43]

[43] *Table of Missions*, a MS. of N. Mex. archives in Lib. of Congress.

"Province of New Mexico. Missions of *la Custodia de la Conversion de San Pablo.*

"Report of the Missions occupied by the 'Religious' of the Regular Observance of Our Lord Father San Francisco pertaining to said *Custodia* which is subordinate to the Province of the Holy Evangel, their gains in the Year 1821, number of Ministers who serve them, Stipends which they enjoy, and the total of Souls distinguished by Classes and Sexes.

	Ministers	Stipends from the Public Treasury	Indians			Spans. & people of other classes			Total number of Souls
			Men	Women	Total	Men	Women	Total	
City, Capital of S. Fe	1								
Presidio Nacional of id.	1	480							
N. Sa. de los A. de Pecos	1	165	26	28	54	366	372	738	0792
S. Diego de Tesuque	1		89	98	187	141	159	300	0487
N. P. S. Franco de Nambé	1		113	118	231	029	032	61	0292
N. Sa. de Ge de Pojoaque	1		42	51	93	140	146	286	0379
Villa de Sta. Cruz de la Cañada	1								
S. Juan de los Caballeros	1		117	115	232	1210	1272	2482	2714
S. Lorenzo de Picuries	1	165	158	162	320	515	532	1047	1367
S. Geronimo de Taos	1		372	381	753	624	636	1260	2013
S. Tomás de Abiquiú	1		112	134	246	1315	1514	3029	3275
Santa Clara	1	330	88	92	180	600	605	1205	1385
S. Buenav. de Cochití	1	330	182	157	339	191	168	359	698
San Felipe	1	330	170	140	310	215	193	408	718
Santa Anna			238	233	471	4	3	7	478
N. Sra. de la Ascencion de Zia			107	89	196	1	2	3	199
San Diego de Xemes	1	165	163	167	330	280	254	534	864
S. Jose de la Laguna	1	330	402	377	779	246	217	463	1242
San Esteban de Acoma			245	232	477	5	3	8	485
Ntra. Sra. de Guadalupe de Zuñi			794	803	1597				1597
Ntra. Sra. de Belen	1		34	36	70	783	973	1756	1826
San Miguel del Socorro	1					798	782	1580	1580
S. Agustin de la Isleta	1		234	277	511	1145	1168	2313	2824
Villa de S. Felipede Albudqe	1								
N. Sra. de los Dolores de Sandía	1	330	192	213	405	199	207	406	811
San Yldefonso	1	330	262	265	527	317	351	668	1195
Santa Domingo	1	330	358	368	726	118	141	261	987
Exist in 1821	20	3285	4498	4536	9034	9442	9732	19174	28208
Existed in 1820	19	2955	3822	4018	7840	8319	9082	17401	25241
Difference	1	330	676	518	1194	1123	650	1773	2967

"Santa Fe. — Dic. 31 de 1821.
"Fr. Jose Pedro Rubin de Celis.
"Custodio. (firma)"

For Alburquerque, we have a detailed census signed by Manuel Armijo and Anto. Nepo. Ruiz, Secretary, on September 10, 1822, which gives:

	SINGLE	MARRIED	WIDOWED	TOTAL
Men	697	398	27	1122
Women	718	398	64	1180
				2302

For Santa Fe and La Cañada, we have data of approximately 1822 in a general register of all the pueblos in the district of Santa Fe.[44] The population of the four *partidos* was:

Capital	5237
Cañada	8505
Abiquiú	2432
Taos	3098

Now should we add 16,044 (for Alburquerque, Santa Fe, and Cañada) to the total of the Custodian's report, we should have 44,252. Deducting for jurisdictions counted twice (Tesuque, Pojoaque, San Ildefonso, San Juan) and allowing for the ranches around Alburquerque, we should have a total population for New Mexico in 1822 somewhat over 40,000.

Perhaps a more accurate estimate can be based on a report of Gov. Facundo Melgares. In 1820, he reported the population to be:

Spaniards	28,436
Indians	9,923
	38,359

The excess of this total over that of the report on Missions (v. 41) would be the population of Santa Fe, Cañada, and Alburquerque. Adding this difference gives 41,326; and allowing a little for the growth of those three jurisdictions, we may

[44] Lib. of Cong., a MS. undated but evidently previous to Feb., 1823. Or we may rely upon MSS. of Gov. Melgares and Custo. Rubin as quoted by Bancroft, 301. From these we have the pop. in 1820 of

Santa Fe	6,038
Cañada	2,633
Alburqqe	2,562

safely say that the population of New Mexico in 1822 was 42,000. And as a corollary to this should be added 6,484 for the El Paso district, which was part of our Province until the summer of 1824.[45]

The New Mexican of 1822 was the descendant of the three peoples who have already been discussed in this chapter; namely, Gentile Indians, Pueblo Indians, and Spaniards. The census of 1794 tried to distinguish between the Spaniards of pure, and of mixed, blood. This detail was omitted in the census of 1820, and in 1840 Spaniards and Pueblos even were not distinguished; all were "men" and "women."[46]

Again, as to relative numbers, the census of 1789 showed less than 2 Spaniards to 1 Indian — those of mixed blood being accounted Spanish. In 1794 on the same basis, the proportion was a little more than 2 to 1; and by 1822 probably 3 in every 4 of the population were Mexican, comparatively few of whom were still pure Spanish.

One might infer from the above that the Pueblo Indians were gradually being absorbed by the master race, but this

[45] Bancroft's estimate, "from all available data" and exclusive of El Paso, was 30,000 Spaniards and between 9,500 and 10,000 Pueblo Indians. On pg. 280, he gives the following statement of the pop. as made by Gov. Chacón in 1794:

	Men	Women	Boys	Girls	Total
Spaniards	7,502	5,912	2,153	1,763	17,330
Indians	4,343	4,267	1,539	1,219	11,368
Castas	1,941	1,601	792	1,224	5,558
	13,786	11,780	4,484	4,206	34,256

For the sake of comparison, the population at later dates is here given also. The *Boletín del Instituto de Geografía y Estad. de la Rep. Mexicana*, published in 1839, reported that in 1829, N. Mex. had 21,799 men and 21,640 women, total, 43,439, and in 1833, N. Mex. had 31,012 men and 26,164 women, total, 57,176. The population for 1829 is taken from the table of statistics which was furnished by Gov. Narvona in 1827. v. "Pino," 57. The population in 1839 was given as 57,026, the loss being due to conditions which will be described later. But even so, the population at that date was more than twice that of Tejas and almost equal to that of the two Californias and Tejas combined. The figures given were:

New Mexico	57,026
Californias	33,439
Tejas	27,800

[46] The undated *Padrón general* however distinguished the *pardos*.

was true to a very small degree. The Pueblos were exclusive and, almost without exception, they maintained their tribal integrity. The Spanish inhabitants reported from the different pueblos by the census of 1789, except the "religious," did not live in those pueblos but in adjacent plazas and ranches. To state the case very plainly, the Pueblo Indians were occupying the most fertile localities when the *conquistadores* arrived; and the Spanish soldiers, frailes, and colonists simply fastened themselves upon these original, semi-civilized inhabitants of the country. Without the hold thus afforded them upon these valleys, the newcomers could not have maintained themselves against the barbarous tribes. But the relation just indicated explains why a number of the earlier jurisdictions centered in, and were named after, Indian pueblos.

Fray Benavides, in the memorial which he presented to his king in 1630, spoke of a part of the inhabitants of Santa Fe as *mestizos*, and he implies that they were partly of Pueblo blood.[47] Such cases were the result of irregularities; they were rarely if at all the result of intermarriage.

Race amalgamation with the Pueblos was, therefore, negligible as compared with that which operated between the Spaniards and the Indian tribes with which they were in almost constant warfare.

The *genísaros* of Abiquiú have already been mentioned, and others were settled at Belen and at Tomé.[48] All such "sons of Gentiles" were looked down upon by their fellow New Mexicans, and yet they but represented the Indian side of that blending of the races which was in process.

When a band of Indians raided a Mexican settlement or when the Mexicans retaliated in kind, the aim on each side was to secure females and boys as captives. The latter were held as slaves and the former often became wives. The captives frequently became attached to their masters and might refuse to leave them after a few years of captivity.

[47] v. Read, *Illust. Hist. of N. Mex.*, 671.

[48] Bancroft, 280-1. All three of these plazas had also a considerable Spanish population.

Such war-captives were also bartered or even sold outright. An Apache band, for example, would bring captives into Santa Fe and there sell them into slavery.

The New Mexicans, for their part, whenever they retaliated for a raid, "always caught all the Indian girls they could." [49] Boys and men were not sought especially as they would run away, but girls and women sold at from $100 to $300 and Navajoes were most prized.[50] It is said that there were more than 1,000 such slaves in New Mexico in the 40's. There may have been less in 1822, but nevertheless it was a condition which contributed to the blending of the peoples.[51]

Another factor which worked to the breaking down of racial barriers was the tax imposed on marriage. The enormous marriage fee that had to be paid the curate could not but tend to irregularity of life among the humbler classes. "This system of extortion is carried so far as to amount very frequently to absolute prohibition. . . The bridegroom often has insufficient means, and the priests seldom consent to join people in wedlock until the money has been secured to them. The curate being without control, the marriage rates are sometimes irregular, but are usually in proportion to the character of the ceremonies and circumstances of the parties. The lowest rates (about $20) are adapted to the simplest form, solemnized in church at mass; but with the excuse of any extra service and ceremonies, particularly if performed at a private house, the fees are increased often as high as several hundred dollars." [52]

It is doubtless true that such fees could be paid in produce of the country, for money was still almost unknown; but apparently the traffic was taxed for all it would bear. It is unquestioned that many couples lived an honored married life without the ecclesiastical ceremony, but it is equally evident

[49] So stated by the late Col. Francisco Perea, of Albuquerque.

[50] A curious case has come to the writer's attention of several little Navajo "orphan" girls who are today held to a service suggestive of this old slavery.

[51] v. Gregg, ii, 217, 313.

[52] *Id.*, i, 261.

that the inclinations of the evil-minded were condoned by this unpardonable state of affairs.[53]

Besides the factors above considered and aside from what immorality was prevalent in this frontier country, there was doubtless regular intermarriage of the peoples to a limited extent. This would naturally increase as passing years obliterated, or rather modified, the racial differences and as the new type emerged, claiming as their heritage the noble qualities of both ancestral lines. Many a Pueblo Indian was baptized with the name *Gachupin* (native of old Spain!), and as already stated, by 1793 "there were but very few full-blooded Spaniards."[54]

In character, the New Mexican of 1822 was polite, hospitable, pleasure-loving but industrious, illiterate but contented, observant of religious forms but by no means puritanical in observing the Ten Commandments.

The charge against governor and alcaldes on the one hand, and against the frailes on the other, regarding the ill-treatment of the Indians, still had basis in fact according to Barreiro and Gregg. "Lieutenant Pike found the natives virtually slaves and cruelly treated by the Spanish officers;"[55] and

[53] Consult the following statistics for El Paso in 1822. (v. Bancroft, 301). An official report of the ayuntamiento gave:

Married couples	161	Teachers	8
Single men	2,267	Priests	2
Single women	3,173	Merchants	5
Widowers	305	Manufacturers	6
Widows	417	Retired soldiers	6
Farmers	2,072	Students	3
Artisans	681	Treasury officials	2
Laborers	269		
Total value of property			$234,018

Now in 1806, El Paso had 584 school children; in 1807, there were 460. In the above census, 2,000 would be a liberal allowance for the youth, especially when we note the number of farmers, artisans, and laborers. This leaves over 3,000 grown men and women who were listed as single In the Alburquerque census already given, of the single men and women, 89 and 64 respectively were over 16 years of age. The census of 1827 also corroborates the statement that there were many unmarried couples in New Mexico.

[54] Bancroft, 280.

[55] *Id.*, 306.

as already said, the wealthy and powerful did not scruple to oppress their weaker brothers.

Besides the Indian slaves held by all the wealthier families, another form of practical slavery prevailed. Col. Francisco Perea states that "almost all of the New Mexicans except the rich were peons."

Peonage was "voluntary servitude for debt, involving no loss of civil rights, no sale or transfer of service, and no legal obligation on the part of the children of peons."[56] Emory gives an instance of a muleteer who owed his master $60. He was paying the debt by serving at $2 a month, out of which he had to feed and clothe himself. In other words, he was in servitude for life at his own maintenance — a point in which the negro of the United States had the advantage.[57] Practically a peon's family also was reduced to servitude as the sons felt obliged to pay their father's debts. A master could, and did, easily prevent settlement, since wages were paid in supplies — and did not the master in such a case control the prices?

Yet the New Mexicans were not an unhappy people. The Pueblo Indians lived pretty much to themselves and at least enjoyed greater security than before the conquest. Among the Spaniards wants were simple. Luxuries had not yet become needs, and desires and ideals were regulated by their small provincial world. Few even of the more favored had any active concern or interest in the *tierra afuera*. Occasional echoes of world-affairs made a little stir, but the course of events had already moved on several months when the faint sounds reached our people.

Aside from Indian troubles, the day's toil was enlivened chiefly by the *fiestas* or saints' days; and "holy days," including *domingo* (the Lord's day), were truly "holidays" among the Mexicans. Every plaza and pueblo had its patron saint, and in the special fiesta of that day there was open house for all visitors. Fairs and fiestas were enlivened by music and

[56] Bancroft, 681.

[57] Emory, *Notes of a Milit. Recon.*, 52. v. Davis, *The Spans. in N. Mex.*, 231.

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bailes and sports — but for that matter, such pleasures were in constant evidence. Gambling and cock-fighting were enjoyed by all, including the priests. Wine and brandy were imported from El Paso, and everyone smoked. Intemperance was not prevalent, perhaps because there was no whiskey until some Americans established a distillery in 1824. Sunday was the regular day for elections or for any special celebration.

The New Mexicans of 1822 were unfortunate rather than unhappy. Light from abroad had not yet introduced that holy discontent which had long been driving the United States and European countries on to a higher civilization and an enriched life. So they met oppressive conditions with hardihood and patience; and, it must be admitted, they so adjusted themselves to their environment that life repaid them with a good measure of enjoyment.

CHAPTER IV

ECONOMIC ACTIVITIES

By the census of 1827, there were only 36 men in New Mexico engaged in the different professions. At that date there were 18 school-teachers reported, but in 1822 there were only a few private teachers in the larger towns. Of the others, 17 were the religious who served all the Territory and the remaining 1 of the 36 was the presidial surgeon, "the only medical man in the country — supported by the soldiers in Santa Fe out of their own pockets." [58] There was no lawyer resident in New Mexico previous to 1831.

Turning to the industries, the same census reported artisans, laborers, and farmers as 1,237, 2,475, and 6,588 respectively, in a total population of 43,439.

As late as 1843 Gregg was to write, "The mechanical arts have scarcely risen above the condition they were found in among the aborigines." There was practically no iron-work in the country, and for carpentry there were very few tools — perhaps only a "squaw-axe," or clumsy hatchet. The Pueblo Indians worked in clay and wood, in leather and in fabrics. There was no machinery, spinning being done by a little hand-spindle twirled in a bowl.

The coarse New Mexican blankets found a considerable market among the Gentiles and in the provinces to the south. The inferior grade of *serape* was the only overdress worn by the peasantry in winter. A coarse twilled stuff of wool was manufactured for carpets and peon-clothing. Domestic stuffs together with buckskin provided ordinary clothing in 1822. Lieutenant Pike wrote in 1807 that all manufactures were carried on by the civilized Indians, as the Spaniards thought it

[58] Bancroft, 304.

more honorable to be agriculturists than mechanics; but Bancroft says that there were a few Spanish carpenters and blacksmiths.[59]

In 1822 there was no gold or silver mining, but the copper mine at Santa Rita had been worked since 1804.[60] A semi-transparent gypsum was quarried near Santa Fe and used for windowpanes.[61]

As already seen, game was abundant in the mountains and countless herds of buffalo roamed the great plains. Deer and buffalo skins were especially sought, and there were New Mexicans who made a business of hunting. The larger part of such hides, however, came to the people through barter with Gentiles.

Grazing and agriculture were the mainstays of the Province. As a basis for estimating the products of these two industries, Pino gave in 1812 the following table of the annual ecclesiastical tithes:

	AMOUNT OF TITHES		ESTIMATED YEARLY PRODUCE
Corn	*fanegas*	3,000	45,000
Wheat	*fanegas*	2,000	30,000
Vegetables	*fanegas*	1,000	15,000
Wool	*arrobas*	1,000	15,000
Cotton	*arrobas*	40	600
Wine	*arrobas*	400	6,000
Sheep and mutton	heads	5,000	75,000
Calves	heads	200	3,000
Goats	heads	500	7,500

In our estimate (the figures in the second column) we not only multiply Pino's figures by 10 but we also add 50%; for Escudero explains that the *diezmos* never amounted to over two-thirds of what the Province should have returned. Pike's statement in 1807 that the annual export of sheep was 30,000 head seems not unreasonable, though it may be too high a figure.

[59] Bancroft, 303; Gregg, i, 202, 209.
[60] Bartlett, *Pers. Narrative*, i, 227.
[61] Bancroft, 304.

Escudero accompanied his father to New Mexico in 1825, and he describes how a poor man could acquire independence through sheep-herding. It sounds very practicable, but how many peons ever worked it successfully is a question. He concludes, "Thus it is possible for even the very poorest of New Mexico to have all the necessities of life and even the comforts of the richest in the country"—but, we may add, he would still be in debt.[62]

In the words of Pino to the Cortes in 1812, "Agriculture, industries, and commerce are the three bases of their prosperity; but in no one of them does the Province amount to anything, because of her situation, the neglect with which the government has thus far treated her, and because of the pillage yearly suffered by those who might prosper by their products and manufactures." Nevertheless there were commercial relations with the outer world through Chihuahua even then; and, incidentally, this supplemented the postal service in saving New Mexico from complete isolation.

Previous to 1822, according to Spanish policy, all traffic except with the provinces to the south was discouraged, and at times prohibited. "Some Spaniards engaged in illicit trade with the French inhabitants of Louisiana, which brought out prohibitory orders from the king in 1723." In 1800, there was as yet no trade with Louisiana or even with the Spaniards in Texas.[63]

The same exclusive policy was operative with regard to the United States. The effort of William Morrison of Kaskaskia in 1804 to establish trade with Santa Fe was a failure in part because of the dishonesty of his trader, Baptiste Lalande; but Robert McKnight in 1812, and Chouteau and De Munn in 1815-17 also failed. Writing from the American viewpoint Chittenden says, "The outrageous treatment of Chouteau and De Munn in 1817, and the knowledge that a party of Americans (McKnight) even then were languishing in the dungeons of Chihuahua, seems to have deterred further adventure in that

[62] "Pino," 22 (H).

[63] Bancroft, 238, 277.

direction until the overthrow of Spanish power in Mexico in 1821."[64]

The summary of all intercourse with the United States previous to Mexican Independence is very brief: Lalande in 1804 and Pursley in 1805 had come in and settled; Lieutenant Pike and his men had been brought in as prisoners in 1807 and sent to Chihuahua; McKnight and his fellow-traders had gone the same road in 1812; and in 1815, Chouteau and De Munn had been in Santa Fe for a few weeks. "The period of Spanish dominion in New Mexico was thus marked by total failure on the part of American traders to gain any foothold in the Santa Fe trade." (*id.*) But in 1821-22, small parties under Captains Glenn, Becknell, and Stephen Cooper began that trade with the United States which was to grow to such proportions and which was to affect so decidedly the fortunes of New Mexico.

As for trade to the west, the southern route to California was not followed until 1830, and the northern trail from Taos to California was first taken by Wolfskill in 1831.

In July or in August of each year, a grand fair was held at Taos for trade with the Comanches and with other tribes of the plains, and some trade was done at other points of the frontier. Citizens and Pueblo Indians also went out in various directions to meet customers, but this likewise was forbidden under Spanish rule.

To the Taos fair the wandering Gentiles brought skins of the deer and buffalo and Indian captives, to barter for knives and other iron implements, horses, beads, trinkets, and to some extent blankets.

"At the end of the year, the New Mexicans went in caravans, sometimes of 500 men, to attend the January fair at Chihuahua, where they exchanged the skins, Indian servants, blankets, and to a slight extent other products of the Province for cloths, groceries, and various articles for the Indian trade. . . . The departure and return of the caravan were the greatest events of the year. In 1776, the governor delayed the

[64] Chittenden, ii, 500.

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[44] Gallatin, II, 599.

publication of an important *bando* till the people had returned from their 'ordinaria anual salida'; and the *provincial* in 1788 explains the impossibility of obtaining reports from New Mexico until the people come down to the January fair." Upon our period Bancroft says, "Each autumn the great caravan departed for the south; at El Paso, to a greater extent than before, the company divided, small parties seeking different markets; and large flocks of sheep were now driven from the Province. In 1805, the viceroy decreed that all goods bartered by New Mexicans at the annual fair in San Bartolomé valley should be free from the payment of taxes or duties." [65]

The last quotation calls attention to a fact which aggravated the difficulties under which our Province labored. Custom-house officials in each Province of Mexico and stringent customs regulations were fastened upon the internal commerce of the country. All goods for New Mexico came north through Chihuahua and the greater the number of internal "ports" passed by the goods, the higher were the prices which had to be paid in Santa Fe.[66] Nor did the revenue collected by the treasury officials at El Paso on our provincial frontier directly benefit New Mexico; they were assets of the viceroyalty.

Pino also protested before the Cortes against the government monopolies on playing-cards, powder, and tobacco. But the last did not prevent the people of New Mexico from raising a poor grade of tobacco known as *punche*.

A great handicap upon all commerce, and upon the life of the Province in general, was the scarcity of any currency. All trade was *cambalache* (barter), but traders had a system of imaginary currency which included four kinds of dollars, worth 8, 6, 4, and 2 shillings respectively. When well worked this system produced enormous profits. "Another system of swindling-commerce was the habitual selling of goods to be paid for in future products. . . . The natives through debt became practically slaves, and the poor settlers were hardly

[65] Bancroft, 277, 301. San Bartolomé valley lay about 130 leagues south by east from Chihuahua.

[66] v. Gregg, ii, 59.

less the victims of commercial oppression. While the settlers and Pueblo Indians were always in debt to the traders, the latter in turn were debtors to, or agents for, Chihuahua merchants, who thus monopolized all the profits." In 1803, interior trade was carried on by twelve or fourteen merchants, only two or three of them using their own capital.[67]

Discussing the Chihuahua trade Pino said, "Experience has taught that ordinary precautions do not suffice in making the perilous journey over the deserts to the next province which is Chihuahua. It has been necessary to arrange the painful journey in this wise: At 20 leagues [68] from the capital at the place called Joya de Sevilleta, those interested have to gather by the last of November with their loads, firearms, munitions, arrows, lances, horses, etc." The men were there assigned their various duties for day and for night, guarding especially against surprise. Provisions for all had to be carried, and water for crossing the 30 leagues of the Jornada del Muerto. And some years even such precautions did not suffice against savage cunning.[69]

On the yearly trade of New Mexico Pino quoted the following from a report of the Vera Cruz consulate in 1804:

Merchandise from Europe, to the value of . . .	$ 61,000
Merchandise from Asia, to the value of	7,000
Merchandise from America, to the value of . . .	34,000
Horses and mules for Military Secretary, to account of settlers	10,000
Total	$112,000

As exports footed only $60,000, the balance of the trade against the Province was $52,000. "The salaries which the exchequer pays the governor of the Province, his assistants,[70] and 121 soldiers is all that we can say sustains the circula-

[67] v. Bancroft, 278, 301.

[68] Probably a misprint as the distance was over 60 leagues.

[69] "Pino," 71.

[70] Two lieutenants and two ensigns. (v. next chapter).

tion. . . Until very recently for the most part the people did not know money." [71]

The exports at that time were chiefly wool, wine, and pelts; but Pino thought that the total of $60,000 could easily be tripled by proper encouragement. He argued that the mother country must take steps to relieve the Province from her miserable condition. The balance of trade could be changed, were she only enabled to utilize her vast natural resources. Simply opening the ports of San Bernardo in the northern sea and of Guaimas in the south would, he said, bring the necessary relief. All they needed on the part of the Spanish government was the conceding of the free use of that which by nature itself was for the best interests of the Province. (*id.*)

[71] "Pino," 20.

CHAPTER V

THE PROVINCIAL GOVERNMENT

To UNDERSTAND the administration of New Mexico as it was at the opening of the year 1822, it is well to glance back into the Spanish period.

In 1777, the Spanish government had created the "Internal Provinces of the North," which included Durango, Sonora, Chihuahua, and New Mexico, with their capital in Durango. This division of New Spain was governed by a Captain-General, who was subject to the viceroy in the City of Mexico. Civil and military administrations were not separated, so that the governor of New Mexico, for example, was both *gefe político* and *gefe militar*. He was responsible directly to the captain-general in Durango, except that at the close of the Spanish period or with the opening of the Mexican period there was a military intermediary in a general commandant at Chihuahua. It is not certain that this Chihuahua official did not exercise more than military supervision in New Mexico, but there seems to be no evidence that he did.

Alongside of the politico-military administration was the ecclesiastical administration centering in the bishop who also presided in Durango.[72] The administration of justice was distributed among, and subordinate to, the other administrations through the *fueros*, which were three distinct and privileged jurisdictions, ecclesiastical, military, and civil.

The ecclesiastical *fuero* provided that no member of the clergy, at least of the rank of curate and upwards, should ever be arraigned before a civil tribunal but should be arraigned before the superiors in his own order.

[72] The following chapter will be given to the description of the Church, its organization and adminstration.

The military *fuero* made a similar provision in favor not only of commissioned officers but of every common soldier from the ranks. The civil or ordinary courts were for all cases in which the defendants were laymen.

These *fueros* maintained the ecclesiastical and military classes in perfect independence of the civil authorities. The civil *fuero* was in fact in some degree subordinate to the other two *fueros*; for it could, under no circumstances, have any jurisdiction over them. On the other hand, the lay plaintiff in either of those privileged tribunals might, if unsuccessful, have judgment entered up against him — a consequence which could never follow the suits of the eccelesiastical or military orders before the civil tribunals. The judgments of the latter, in such cases, would be void.[73]

Bancroft states that in New Mexico (previous to the Independence) "there were no *ayuntamientos* or other municipal bodies, no courts, no taxes, no treasuries or municipal funds." It is true that there were no courts in New Mexico at that time distinct from the politico-military and the ecclesiastical administrations, but Bancroft's statement is too sweeping and must be modified.

From a decree of the Spanish Cortes dated May 23, 1812, it appears that towns having a population of 1,000 or more were expected to have *ayuntamientos*, or common councils; for, according to this decree, those having approximately that number might petition the government for the requisite permission.[74] The settlements in New Mexico which were entitled to this privilege at the end of 1821 may be noted by glancing at the census report of that date. Of the 15 places with sufficient population, the indications certainly go to show that there were already *ayuntamientos* at El Paso, Santa Fe, Alburquerque, probably at La Cañada, and possibly at several other places, although these last may have been what were termed "half-ayuntamientos."[75]

[73] v. Gregg, i, 234-5.

[74] White, *Land Laws of Calif.* (etc.), i, 416.

[75] A regular *ayuntamiento* included at least 2 *alcaldes*, 6 *regidores* or aldermen,

Bancroft follows the above statement with a reference to 8 alcaldes who "attended to all local matters [each] in his own *alcaldía*, being responsible to the governor." These 8 jurisdictions were Taos, La Cañada, Santa Fe, San Carlos de la Alameda, Alburquerque, Jemes, Belen, and El Paso. The alcaldes at these places exercised judicial functions, represented the governor, in his name gave possession of lands, and in many cases in the absence of their military commander they led their fellow-citizens in campaigns against the Indians.[76]

The governor was *gefe de alcaldes* and, under Spain, the only appeal from his decision was to the *audiencia* of Guadalajara, over six hundred leagues away. In 1812 Deputy Pino had urged the necessity of an *audiencia* at Chihuahua (only 260 leagues from Santa Fe!). That change had not been made, but with the opening of the Mexican period a court was established in Durango to which an appeal might be carried from New Mexico.[77]

As *gefe militar* the governor of New Mexico was subject, as already stated, to the captain-general in Durango, through a general commandant in Chihuahua. There was, and there had been for years, only one small troop under pay for the policing of the Province. This "veteran troop" consisted of 121 men

1 syndic, and 1 *procurador* or attorney. An *alcaldía* consisted of only 1 alcalde and a procurador. In 1810, the governor of N. Mex. had to summon a special electoral junta, "*en vista de no haber ayuntamiento en toda ella*," yet at the same time Santa Fe, Alburquerque, and El Paso evidently had "half-ayuntamientos." But that these three and probably Cañada also had regular ayuntamientos by the end of 1821 is suggested, for example, by the reference to the ayuntamiento of Alburquerque in a letter of Oct. 30, 1821. (Lib. of Cong., *N. Mex. archs.*) Writing from Pajarito, Manuel Ruvi de Celis informed Gov. Melgares that they were to have a meeting there with "1 of the 3 regidores, the procurador, the síndico, and the secretary." He himself was undoubtedly one of the alcaldes.

[76] An interesting illustration of this remains from the hand of Manuel Armijo. (Lib. of Cong., *id.*).

"Hoy dia dela fha. al rayar el dia, cayeron los Navajoses á Atrisco, mataron un muchachito. y otros qe. anduvieron en esta vanda, hirieron áuna muger. Yo sali sobre ellos, y los corrí hta. el Rio puerco.

"Dios gue. á V. S. ms. as. Alburqeqe. 30, de Junio de 1822.

(to) Sor. Ten. Coronl. Govor. Manuel Armijo (rubric)

Dn. Facundo Melgares."

[77] v. Bancroft, 304-5; "Pino," 21, 90.

at $240 a year each. They were distributed, 39 in a movable body, 12 as a guard at the capital, 7 in Sevilleta on the Apache frontier, and the rest at similar points. The petition made through Deputy Pino for five *presidios* to be established at El Paso, Vado, Socorro, Taos, and San Cristóbal failed to secure the relief which was sought. The unpaid auxiliaries, and in fact all of the settlers on occasion, had still to serve at their own expense. Pino figured that in 118 years the inhabitants had saved the king through their constant military service the enormous sum of $43,090,000.[78]

As the Province did not consider itself safe with the small paid force above referred to, the government had, in 1808, created three companies, each composed of 61 men, including captain, lieutenant, two ensigns, two sergeants, four first and four second corporals, drummer, etc. They were called militia so that veteran service could be exacted under the penalties of the military "Ordinance," yet they had not been paid the salary due, although they had rendered hard service. The three captains who had been appointed by the king, Don Lorenzo Gutierrez, D. José Francisco Pino, and D. Bartolomé Baca, were commended to his attention by the deputy for preferment.[79]

The governor served at a salary of $4,000; the alcaldes were citizens who served without pay. The governor had no "legal

[78] "Pino," 42.

[79] *Id.*, 87. Deputy Pino reported the Province to be at peace with the Navajoes, Yutas, and Comanches; with the first by a treaty made in 1805, and with the others through a new policy followed by Govs. Anza, Chacon, and Lancaster. This policy was to keep open house for the Indians and to make them presents in the name of the king. The Comanches were very fond of wine, which they called "crazy water," and they did not "guard themselves against getting drunk." This splendid stroke of policy at such slight cost had secured an unbroken peace and friendship of the greatest importance — a friendship which restrained the other nations also. No sooner did they learn of the Mexican revolution of 1810 than the Comanches offered to destroy Hidalgo and all others who opposed the rights of their great Commander-in-Chief. Renewed hostilities with the Navajoes were concluded by a treaty signed August 21, 1819 (Banc., 286); but this treaty was violated by the New Mexicans themselves. A party of Navajoes who had come to Jemes to make a treaty were foully murdered by the inhabitants under their alcalde, Juan Antonio Vaca. The ringleaders were arrested but the matter dragged along until 1824 when they were released. v. Banc., 287; Prince, *Hist. Sketches*, 232; Davis, 83-4.

adviser," but he was assisted in his duties by the lieutenant and the two ensigns of the Veteran Troop in Santa Fe, and another military lieutenant of the governor ruled the El Paso district at a salary of $2,000.

Governmental changes and legal enactments afford an instructive sidelight on the history of our Province, and the local data which have been given above on the government of New Mexico in 1822 may be helpfully supplemented by sketching a little of the national background.

Charles IV of Spain (1799-1808) had been controlled by Godoy, the queen's favorite; and Godoy had played into the hands of Napoleon for his own profit. In March of 1808, King Charles abdicated in favor of his son Ferdinand, but Napoleon speedily compelled the latter also to renounce his claim and the emperor then conferred the Spanish crown on his brother, Joseph Bonaparte. But the Spanish people organized resistance in favor of Ferdinand VII, and a superior junta of leading Spaniards was established in Seville with a subordinate junta in each province.

When Ferdinand left Spain, the government devolved according to law upon the Regency; and when the Central Council or Junta was formed, it recognized the Regency and gave way to it. And the latter, in its efforts to repel the French invasion, summoned the people to elect an extraordinary Cortes, which was installed on September 24, 1810.[80]

When the Spanish monarchy had been shattered by Napoleon, it was but natural that general revolution should break out in the distant Spanish colonies. In Mexico the *Grito de Dolores* was sounded by Hidalgo long before Deputy Pino had sailed from Vera Cruz, and in fact nine days before the Cortes had assembled in Cádiz.

The Cortes drew up two documents which were to have especial importance to New Mexico during the Mexican administration. On March 18, 1812, was promulgated the Constitu-

[80] The royal *cédula* ordering this election was issued on Feb. 14, 1810. In New Mexico the governor summoned the special council on August 1st of the same year, and Pedro Bautista Pino was chosen for their deputy to Spain.

tion of the Spanish Monarchy, the constitution which was to continue in force in Mexico until July of 1824. Its second main division created provincial deputations and otherwise provided for the government of all the Spanish provinces at home and abroad.[81]

The other decree of the Cortes referred to was issued on June 23, 1813. It contained further instructions for the government of the provinces, and it was to continue in force in New Mexico until the year 1837.[82]

When Ferdinand VII recovered his liberty by the Treaty of Valencia, he dissolved the Cortes in May, 1814, refused to recognize the representative régime, and reëstablished the absolute monarchy and the Inquisition. One can imagine that such a course would not diminish the ardor for freedom across the seas.

A liberal revolution in Spain in 1820 restored the Constitution of 1812 and instituted a Cortes which was noted for its ex-

[81] Dublan y Lozano, *Compilación*. The preamble began: "In the name of God all powerful Father, Son, and Holy Spirit, author and supreme legislator of society, The Cortes general and extraordinary of the Spanish nation, well convinced" etc. The main divisions of the Constitution are as follows:

Title I. — Of the Spanish nation and of the Spaniards. (In 2 chapters.)

Title II. — Or the Territory of the Spaniards, their Religion and Government, and of Spanish citizens. (4 chaps.)

Title III. — Of the Cortes. (Article 34 reads: For the election of deputies of the Cortes, electoral juntas shall be held: parochial, district, and provincial.)

Title IV. — Of the King, his powers and restrictions.

Title V. — Of Tribunals, and the Administration of Justice, Civil and Criminal.

Title VI. — Of the Internal Government of the Provinces and of the Towns.

Title VII. — Of the Contributions.

Title VIII. — Of the National Military Force.

Title IX. — Of Public Instruction.

Title X. — Of the Observance of the Constitution, and mode of Amendment.

[82] The law of June 23, 1813, treated:

Chapter 1. — Of the obligations of the *ayuntamientos*. (In 25 sections.)

Chapter 2. — Of the obligations and duties of the provincial deputations. (18 sects.)

Chapter 3. — Of the *gefe políticos*. (35 sects.)

The *gefe* was to be the *primero agente* of the government in the province. He "shall be the only channel of communication between the ayuntamientos and the provincial deputation, as likewise between that body and the government." (Fr. sect. 16.)

And "he alone shall circulate through the Province all the laws and decrees which may be issued by the government." (Fr. sect. 17.)

treme liberalism. The Inquisition was again abolished and the privileges and exemptions of the Church were invaded. The army and the educated classes accomplished this, despite the opposition of the clergy and the peasants. By a royal decree dated Madrid, April 15, 1820, and addressed to Antonio Porcel, *Virey de Nueva España*, "the decrees of the Cortes, general and extraordinary, and also ordinary" were declared reëstablished and in force in America.[83]

But meanwhile the struggle for independence in Mexico had acquired momentum in the course of ten years and the trend of events could not thus be reversed. When, in 1822, the Holy Alliance began their repressive measures against liberalism in Spain, Mexico had already severed the last tie which bound her to the mother country, as we shall presently see.

Don Pedro Bautista Pino had returned home after the dissolution of the Cortes by Ferdinand in 1814, but upon the summons for the New Cortes in 1820 he was reëlected deputy for New Mexico. He proceeded to Vera Cruz, but of the $6,000 forwarded to Mexico for his expenses, he could obtain only enough to pay for his journey to that point. As also his arrival in Spain would be late in any event, he reluctantly gave up the trip and wrote his excuses to the Cortes.[84] And although New Mexico went through the form of electing a deputy to Spain for the years 1822 and 1823, yet with the turning back of Don Pedro at Vera Cruz may be said to have terminated New Mexico's last real effort to maintain herself as a province of Old Spain.[85]

[83] White, i, 514.

[84] Bancroft, 289.

[85] In a letter which Francisco Peres Serrano wrote on Feb. 22, 1822, to Gov. Melgares, Serrano quotes as follows from a letter received by him from D. Pedro B. Pino:

"En contestacion al oficio de V. S. de 19 del corriente, ha espuesto el Sor. D. Pedro Pino lo que copio.

"Mehe enterado tercera vez del oficio que con fecha lo. de Julio del año pasado dirigió al Sor. Gobernador Interino de esta Provincia la Exma. Junta Provincial de Durango; con el obgeto de conciderar en mi poder un sobrante cuyo numero ignoraron, a que del se pediera hacer uso para que verificase D. José Antonio Chaves su traslación ála Peninsula con la investidura de Dipo. enlos años de 22 y 23." These funds had been in "la caxa de Chihuahua" since 1812 and 1814. Pino had not been paid but he held the documents ready to submit to Governor or to Deputation.

KIRBY BENEDICT

KIRBY BENEDICT was the first president of the Historical Society of New Mexico, the organization of which was effected in 1860 by W. J. Howard, John B. Grayson, D. V. Whiting, Charles P. Clever, and other prominent New Mexicans of antebellum days.

He came to New Mexico from Decatur, Illinois, in 1853, bearing a commission as associate justice of the supreme court of the Territory given him by President Franklin Pierce. Benedict was a native of Connecticut, having been born in that state in 1811. His entire adult career, up to the time of his appointment, had been in the state of Illinois, where he enjoyed the reputation of being a representative member of the bar. Abraham Lincoln and Stephen A. Douglas were his personal friends.

Literary pursuits had a special charm for him, and this characteristic has a lasting memorial in some of his judicial opinions, which assume the form of essays.

Upon his arrival in New Mexico, July 23, 1853, he was assigned to the old Third District, then consisting of the counties of Taos and Rio Arriba only, with headquarters at Taos. Here he continued as judge for five years, when he was appointed chief justice by James Buchanan and removed to Santa Fe, having the First District as his circuit. In 1860 the counties of Taos and Rio Arriba were added to that district, and they again came within his jurisdiction.

His biographer, in relating incidents of his career in Illinois,[1] describes him as a man of talent and genius, the equal of any man then in the West in oratorical powers. In this particular he had great versatility, in one moment convulsing his hearers with laughter, in another melting them to tears.

[1] Linder's *Reminiscences*, pp. 196-203.

He practiced in Lincoln's and Linder's [2] old circuit before Judge David Davis and also before Judge Harlan. "His voice," says General Linder, "was like a bugle note and full of musical sweetness. He was a man above the medium size, of fine personal appearance, of good address, but somewhat pompous in his manners, but not offensively so. He was quite vain, fond of popular applause, and very sensitive if he thought himself to be the subject of either censure or ridicule. If his opponent at the bar got the advantage of him by setting a trap for him to fall into, he would be mortified to death, almost, when he found it out." Linder relates a circumstance in Benedict's career in Illinois which occurred between himself, Anthony Thornton, of the Supreme Court of Illinois, and Benedict, which happened at a session of the Moultrie county circuit court, as follows:

Thornton and myself were defending a man charged with hog-stealing, and the state's attorney employed Kirby Benedict to assist him in the prosecution. There was a vast crowd in attendance, the trial exciting a great deal of interest, the prosecutors of the accused being his sister and her husband, who swore against him with a vengeance. When the evidence was through, our client leaned over and whispered to Thornton and myself and asked us what we thought of his chances. Thornton told him that he did not think they had made out a case against him; but I differed with Thornton, and told our client that the

[2] General Linder was a close personal friend of Abraham Lincoln, Stephen A. Douglas, and Kirby Benedict. Judge Gillespie, his biographer, says of Linder: "He was a man of very extensive general reading, was master of the English classics and kept up with the literature of the day. He was well posted in ancient and modern history and had considerable skill in matters pertaining to science. All these branches of knowledge he could turn to good account whenever required, but it was in his capacity of lawyer that he excelled. Most people at first supposed that he was merely a brilliant orator and had no great knowledge of law, but in this they were woefully mistaken. He was a profound lawyer. He understood all its technicalities. I never knew anyone to get the better of him in a legal point, and I have seen him tested many a time. Anyone who calculated to gain a case against Linder — without having the law and the right clearly on his side — 'reckoned without his host,' for he frequently succeeded with the law and the testimony manifestly against him. I never felt that a defendant in a criminal case was safe from a verdict when Linder prosecuted, no matter what the evidence might be in his favor; if Linder *contended* for a conviction, our only hope was in the courts."

chances for his acquittal were very slim. I shall never forget the look he gave us when he said: "Boys, shall I take to the brush?"

"Oh, no," said I, in an ironical tone, "I should be very loath to give you such advice as that; but this is a very warm day, and you must be thirsty, and the water here is about as bad as any I ever drank." Turning to Thornton, I said, in a low tone, "Anthony, don't you think the water in Kentucky a great deal better than here?" "Oh, yes," said he, "much better."

Our client was not slow to take the hint. Said I to him: "If you are dry, go and get a drink; your presence is not particularly needed here during the argument, and we will make that consume the rest of the day." He quietly slipped out of the court house, and I have never seen him from that day to this. I arranged with Thornton a plan of operations to make the arguments consume the rest of the day, so that our client might get away as far as possible before he was missed. The trap set was this: After the prosecuting attorney had made his opening speech, Thornton was to follow in a long speech, in which he was to pour out vengeance on the prosecuting witnesses, and touch up Benedict by way of anticipation. I was to wind up the argument on our side in a similar style. Thornton consumed about one hour and a half. I determined to consume twice that length of time if I could do so. When it came my time to speak I was put to the very end of my wits to know how I should make a three hours' speech upon evidence which was short, plain, and to the point; but I was enabled to do so. I consequently put on a bold look and manufactured the principal part of my speech in anticipating Benedict. I made all sorts of ludicrous comparisons in reference to him. Said I: "Gentlemen of the jury, he thinks himself a great man, but you and I know that he is not; but that he is a living and moving mass of vanity and egotism. And what claim, gentlemen of the jury, has he to enroll his name with respectable lawyers, when he has come here and for the small sum of five dollars has hired himself to these wicked and diabolical witnesses to assist them in the prosecution of their brother?" And I went on in this strain as long as I could have any decent excuse for doing so.

Benedict fairly snorted through the court house. Oh, but he was anxious to get at me! And what gave him greater offense than all, was that every now and then I would stop and burst out into a great horse laugh, when no man of sense could see any cause for it; but as laughing is contagious, the jury and the crowd joined me in my merriment, but Benedict did not participate. He strode across the floor,

and the spirit of ten thousand storms had painted itself upon his face. About this time some of the crowd had discovered that the defendant had sloped, and they tried to make Benedict acquainted with the fact, but he waved them off and would not listen to them, being intent on the castigation he was going to administer to me. He was like a volcano on the eve of eruption. He commenced his speech when the sun was two hours high, and O, didn't I catch it! But I was content, knowing that Benedict had fallen into the trap. About this time a large portion of the crowd had begun to see what was in the wind, and as I came outside of the bar I met Major Poor in a perfect fury. Said he to me: "Linder, your client has 'cut sticks,' and I am inclined to think you advised it."

"Oh, no, no, Major," said I, "I hope you don't entertain such an opinion of me. I didn't advise him to run away. During the trial he asked me if he should take to the brush, and I told him no; 'but,' said I to him, 'as the day is hot, and you are perhaps thirsty, and being out on bail, you have a right to go and get a drink of water,' and that was all I said to him; but I asked Mr. Thornton in his presence, Major, if he did not think the water in Kentucky was much better than in Illinois, and he said it certainly was. Now," said I, "Major, if my client should have taken this as a hint to leave and jump his bail, I shall feel *exceedingly sorrowful!*"

"Oh, the devil take you and your sorrow!" and we both burst out into a hearty laugh.

That evening I settled my hotel bill and mounted my horse and started home. This was just about dusk. As I passed the court house I heard Benedict's sonorous voice pouring out wrath upon my head. I went home and I did not return to the next term of court at Moultrie. I learned from the sheriff that the jury had returned a verdict of guilty against my client. "Well," said I, "Sheriff, what did you do with him?"

"What did I do with him?" said he, "What could I do with him? He had sloped before the verdict was rendered, and the court issued its writ directed to me, commanding me to take the body of the defendant *if found within my county*, and to bring him into court at the next term thereof to hear the verdict of the jury and receive the sentence of the court."

"Well," said I, "why don't you take him?"

"For a very good reason," said he; "he never comes into Moultrie county, but he stands on the other side of the line dividing Moultrie

from Coles, and will jaw me for an hour at a time; and now," says he, "Linder, I want you to tell me what I shall do in this case."

"Well," said I, "Sheriff, if ever you can lay your hands on him in Moultrie county, put him in jail; but I don't think the writ you have gives you any authority to cross the line into Coles and arrest him there."

When Benedict learned the trick that had been played upon him, he was exceedingly mortified for awhile, as I learned, but finally laughed it off, and said he had gained a victory, but that we had cheated him out of the fruits of it.

General Linder testifies as to the friendship existing between Abraham Lincoln and Judge Benedict in the following language:

When I first knew Kirby Benedict he lived in the town of Decatur, Illinois, which was on Lincoln's circuit, he and Lincoln being great friends and cronies, and I know from Lincoln's own lips that he enjoyed Benedict's society hugely. The truth is, all the lawyers liked Benedict. Judge Davis, I know, was extremely fond of him.

There was a lawyer who practiced on Judge Davis's circuit by the name of David Campbell, says Linder. He and Benedict were in the habit of playing their tricks on each other. The hotels in those days I remember being scarce of beds, used frequently to put two of us lawyers in one bed; and it frequently fell to the lot of Campbell and Benedict to occupy one bed between them. One day I heard Campbell say to Benedict, with a smirk on his face: "Benedict, you must get the landlord to furnish you a bed to yourself."

"Well, suppose he hasn't got one?" said Benedict.

"Then you must sleep on the floor, or get the landlord to furnish you a berth up in his hay-mow."

"What is your objection to sleeping with me, General David Campbell?" said Benedict.

"D—— you," said Campbell, "I never did *sleep* with you, but I have lain with you. To sleep with you would be impossible. You snore like a Cyclops, and your breath smells so of mean whiskey that I would as soon breathe the air of a charnel house and live in reach of its eternal stench."

"Well," said Benedict, "*General Campbell*, I will show you that you shall sleep with me, and if either of us has to sleep on the floor or go to the hay-mow, it will be you, d—— you, and not me."

"Well, well," said Campbell, with a sinister smile on his face, "we will see about it."

So that night Dave Campbell went to bed earlier than usual, and at about twelve o'clock at night along comes Benedict, pretty much "how-come-you-so." Addressing himself to Campbell, who feigned to be half-asleep, he said: "Hullo there! Dave, lay over to the back of the bed and give me room in front."

Before going to bed that evening Dave had armed his heel by buckling on it one of his spurs. When Benedict got undressed, even to the taking off of his drawers, he jumped into bed and began to fondle Campbell. Dave quietly drew up his heel that had the spur on it and planted it about six inches above Benedict's knee and gave it a turn downwards, crying "Get up there! Get up there!" as though he was speaking to his horse. Benedict gave a sudden leap and landed about the middle of the floor, crying out in great agony: "Jesus! the d——d fellow has got the nightmare or delirium tremens, and has taken me for his d——d old horse!"

Judge Davis and Lincoln, who were sleeping in the same room, could stand this no longer. They burst out in the most uproarious laughter.

Benedict was a hard man to beat before a jury, but if you could pierce him with the keen shaft of ridicule, he was not so hard to beat, for he was apt to get irritated and say something that would make him assailable, and give the advantage to his opponent.

There are few members of the legal profession today who can fully recognize the difficulties under which the bench and bar of those days labored. With no text books, no reports, no legislative enactments, no decisions, away from the headquarters of the district for several months, theirs was any but an easy professional existence. The ability of the courts of New Mexico during the early days of the American occupation and territorial periods is reflected by the records, the briefs of counsel, and the opinions of the court. Judge Benedict soon demonstrated to the members of the bar that the reputation enjoyed by him in Illinois was fully justified. He immediately took position as the leading jurist of the court.

The year following Judge Benedict's arrival saw him presiding at the trial of Richard H. Weightman, who had been indicted for the killing of Francis X. Aubrey. The attorney for

the government was no less a personage than United States Attorney W. W. H. Davis. Colonel Weightman was acquitted.[3]

Under the provisions of the treaty of Guadalupe Hidalgo a right of election was preserved to Mexican citizens of New Mexico to retain their citizenship or to become American citizens. This election or declaration of intent was manifested by some act provided for in a proclamation issued by Col. John M. Washington, governor of the Territory in 1849.

In an indictment charging murder, the question as to whether or not one of the grand jurors, Anastacio Sandoval, had elected to retain his Mexican citizenship came before the Supreme Court on appeal. The opinion of the court by Chief Justice Benedict is practically a history of the Territory during the American constructive period prior to the act of September 9, 1850, when New Mexico became a Territory of the United States. This opinion is proof of the capacity of the learned judge, and for obvious reasons is preserved. The learned justice said:

The opinion of the court is invoked to prove these facts on the plea in abatement. Were we disposed to shrink from the heavy responsibilities unavoidably to be assumed in the discussion and decision of this cause, upon the testimony, there are points of practice and technical merits upon which the court might repose, and avoid the examination and adjudication intended to be presented in this appeal. Such shrinking, however, would be unworthy of the independence and dignity of an intelligent tribunal of justice. We may take judicial notice

[3] The trial was had in the Old Palace. Weightman pleaded self-defense. Judge Benedict's charge on this plea was as follows: "The court instructs the jury that if they believe, beyond any reasonable doubt, from the evidence given in this case, that Aubrey drew a five-barreled loaded Colt's pistol, with intent to shoot at and greatly injure the person of Weightman; and that Aubrey was in the act of preparing to shoot the defendant, Weightman, and that by reason of such acts of Aubrey, the life or person of Weightman was put in immediate and great danger, and that he had no reasonable and safe means in his power to avoid or escape the danger in which he was placed, without taking the life of Aubrey, to secure his (Weightman's) own life, and that under such circumstances he instantly drew his knife and wounded Aubrey so that he quickly died of the wound, then, upon so believing, they (the jury) will find the defendant not guilty, in manner and form as the defendant, Weightman, is charged in the indictment."

The jury promptly brought in a verdict of acquittal.

of the public and notorious acts which constituted a portion of the history of New Mexico during the past thirteen years, and in the midst of these the question of the retention of the character of Mexican citizenship has been exciting and disturbing. It is so now, and this fact imposes, in the investigation of this question on its legal merits, the greater labor and care.

The eighth article of the treaty of Guadalupe Hidalgo provides that, "those Mexicans who shall prefer to remain in the said Territory (including New Mexico) may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the ratification of the treaty, and those who shall remain in the said Territory after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States."

It is insisted that Anastacio Sandoval did declare his intention within one year to retain his Mexican character as to the rights and title of citizenship. To demonstrate the weight the testimony in this case gives to the maintenance of this proposition, it is proper to state, the most material parts relied upon to show that Sandoval's declaration was legally, personally, and knowingly made; that he did the act in the manner and form allowed by the treaty, and that the proof offered possessed all the essential elements to require the jury to so find, instead of finding as they did.

It was proven by Mr. Jackson, the present secretary of the Territory, that at the time he took possession of the books and papers belonging to the office, he found a book, which he produced in court, and which was permitted to be offered to the jury without any objection from the Territory, among the archives of the office. The book shown contained the caption in the following words: "We elect to retain the character of Mexican citizens." Below this caption, among other names, was found the name of Anastacio Sandoval. At the conclusion of the signatures in said book was found a certificate in the words and figures following:

Territory of New Mexico, County of Santa Fe.

I, James M. Giddings, clerk of the probate court, do hereby certify, that the foregoing is a true list of all who have elected in said county to retain the character of Mexican citizens. Given under my hand and seal, this first day of June, 1849. (Signed) JAMES M. GIDDINGS, Clerk,

(SEAL) By F. B. Giddings, D. C.

A proclamation was also found in said book, pasted on the lid, containing the words and figures following. This proclamation recited exactly the provisions of the treaty before copied herein, and then continued, but in the Spanish language, and correctly translated as follows:

Whereas, I, John M. Washington, governor of the territory of New Mexico, do hereby ordain, that the clerks of the probate courts in the different counties of this territory shall immediately open, at the prefectures, records, which shall be headed as follows: "We elect to retain the character of Mexican citizens;" in which those of each county who shall so elect may personally record their names, and those who do not appear and sign said declaration, on or before the thirtieth day of May next, will be, in conformity with the treaty, considered citizens of the United States. Within six days after the thirtieth day of May, the record shall be sent, with the certificates of the clerks of the prefectures of the several counties, to the secretary of the Territory, that they may be published and distributed to the different tribunals of justice in the territory.

Given under my hand and seal, at Santa Fe, the twenty-first day of April, 1848. (Signed) J. M. WASHINGTON.

Jesus Sena y Baca testified that he was acquainted with the handwriting and signature of Anastacio Sandoval, and the said signature of Anastacio Sandoval shown him in said book, was genuine.

It was also proven, that Anastacio Sandoval, at some previous term of the district court, had, with many others, declared his intention to become a citizen of the United States. It was admitted upon the trial, that Sandoval was foreman of the grand jury that found the indictment. It is argued that the proclamation of Washington was made without authority of law, and no act done in pursuance of its directions could affect the rights and titles of anyone as to his citizenship; that no one, by complying with its provisions, could secure the retention of the character of Mexican citizen, solemnly guaranteed to every Mexican in New Mexico by a treaty between the nations having full power over the subject-matter. Now, that part of the treaty cited was one of the provisions and covenants made in favor of Mexico and her citizens. A war had been waged between the two republics, disastrous at all points to Mexico, until the success and power of the United States seemed threatening the very existence of Mexico as a nation. It was then the treaty was concluded. This dismembered the Mexican republic, and one portion cut off from the nation was New Mexico, which had been conquered by the troops of the United States in 1846.

In this region there was a large number of native-born Mexican cit-

izens. In the cession made, few, perhaps, are aware how deeply the Mexican government felt in insisting upon a treaty stipulation that should secure to those citizens, beyond cavil or dispute, the right to retain their Mexican citizenship, should they prefer to do so, in preference to becoming citizens of the United States. The movement of a portion of these people in what is known as the Taos "insurrection" against the United States authority and government seems to have drawn towards these inhabitants strong professions of sympathy from the Mexican government. During the discussion between the commissioners, on the part of the two nations, as to the provisions the treaty should contain, a liberal council was held by the Mexican government, which resulted in giving to the Mexican commissioners a new body of instructions, which were imparted in form by Secretary Pacheco, in a communication at Mexico, September 5, 1857: See *Executive Documents*, No. 52, 30th Congress, 1st Session.

These instructions express the extreme unwillingness to cede this territory by Mexico. They say that even should Congress approve, the government would not consent to cede New Mexico, whose inhabitants (we quote the exact language) "have manifested their will, to make a part of the Mexican family with more enthusiasm than any other part of the republic." Those well-deserving Mexicans were abandoned to their fate, very frequently without protection, not even shielded from the incursions of the savages; yet, notwithstanding all this, they have been the truest Mexicans, and most faithful patriots. Forgetting their private grievances, they at this time remember only that they are and wish to belong to the Mexican family, exposing themselves to be sacrificed to the vengeance of their invaders, against whom they have risen. When their plans were discovered, their conspiracies frustrated, they have not ceased to conspire. Could the government sell Mexicans like these as they would a herd of sheep? No! Before the nationality of the rest of the republic shall be lost to them, we will perish together.

"In New Mexico, and the few leagues that divide the right bank of the Nueces from the left bank of the Bravo, is contained either peace or war. If the commissioner of the United States leaves nothing else to the government of Mexico than to choose beween this cession and death, in vain was he sent by his government."

The American commissioner, writing to our own government, under date of September 4, 1847, from Tacubaya, says upon this same subject of ceding New Mexico: "Both honor and interest, they say, forbid them to surrender it. They could not without ignoring honor 'sell' a

portion of the population of the country, who have given such striking proofs of fidelity to the republic, and of their determination to retain the character of Mexican citizens. On the other hand, interest required them to hold on to that part of the republic, as one of its main dependencies for meat to feed its inhabitants. Upon the grounds set forth in considerable detail rested the special objection to parting with New Mexico."

In the effort between the two countries to establish peace, the Mexican government offered a project which included territory claimed by them as before then belonging to Mexico. In this they insisted that, "if the persons here treated of think proper to remain in the territories they now inhabit, they may preserve the titles and rights of Mexican citizens, or at once acquire the title and rights of citizens of the United States if they wish."

The stipulation finally adopted was such as the eighth article contains. The right to preserve the Mexican character was guaranteed, but the obligation to make the election was limited to one year. We now see with what tenacity the Mexican government insisted upon, and finally obtained, the agreements in favor of Mexicans in the ceded territory, embraced in the article before cited.

It has not remained for this court to urge the sanctity and inviolability of treaties. Every increased spread of light in the world of civilization has given renewed vigor and sanction to all lawful agreements between man and man and nation and nation. Good faith in these regards is among the highest distinguishing traits that make and fix the moral character, rank, and honor of individuals in communities. To no nation is strict observance of covenants and agreements of so high importance as to the United States, whose very existence depends upon the mental and moral consent and the deliberate formal agreements of the parties interested in the formation and continuance of the system which made them a nation among the powers of the earth. It is not for a government whose exalted tone and sense of constitutional justice has restrained each and all of the states of the great union from ever passing any law that shall impair the obligation of a contract, and has made her treaties a part of the supreme law of the land, to disregard her solemn promises and engagements, though made to the weak, ill-governed, and distracted nation of Mexico.

But it is urged with much zeal, and apparent conviction of the soundness of the view, that although the treaty did secure to the Mexican citizens of the ceded territories the unqualified right to retain

their Mexican rights and titles within one year, still the treaty failed to prescribe the form and manner by the observance of which such citizens could avail themselves of the stipulations in their favor, and as Congress passed no act in aid of such persons, and defined no special form by means of which they could declare their intentions, they remained wholly without remedy, and the portion of the eighth article in their favor became without effect, a dead letter among the supreme laws of the land, and void as to any power to retain rights under its provisions.

Now, all the Mexicans contemplated had to make their election to either retain the character of Mexicans or acquire that of citizens of the United States. The former had to perform a positive act to make their election, while the latter might make their election by remaining passive and doing no positive act touching such election during one year, and this passiveness was declared to be evidence that they had chosen to be citizens of the United States. When such non-action was to be proof of the solemn act of changing allegiance and citizenship on the one part, was the other party left without remedy or compelled to seek it through some modified declaration under oath analagous to that provided in our naturalization laws? I think not. True that the treaty uses the phrase "declared their intention." From this it has been sought to maintain that this language, if intended to refer to any form of election, must be construed to adopt the manner of declaration of intention of citizenship prescribed for aliens by our laws. Those who advanced this opinion seem to lose sight of the fact that two independent nations were forming a treaty and that both adopted the language referred to. It is no more to be held that the stipulating parties intended to mean the adoption of our legal signification of a declaration of intention of citizenship, and our oath upon that subject, than that to the exclusion of our laws, and statutory and legal terms, the parties intended what the laws of Mexico meant by the like phraseology in her naturalization laws. Although the contracting powers stood equal, yet as the stipulation was to inure in favor of Mexico and her citizens, the presumption is much stronger that her statutory meaning was to prevail, than that ours should become the only rule.

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Now, each power must be presumed to have formed the treaty in full view and recognition of the fixed and universal laws of nations. They knew that the governments found to exist *de facto* within the ceded countries at the ratification of the treaty must continue to exist *de jure*

until changed by the legislative power of the United States. The government of the United States observed and enforced the mentioned rule throughout the countries that cession had confirmed to it, from the moment the treaty went into effect down to the establishment of governments by Congress's final enactments. This court has repeatedly announced and enforced the same doctrine, and the supreme court of the United States has, in many instances, given the highest sanction known to our judicial system, to the law that all civilized and enlightened nations observe.

Mexico then knew that public authorities, magistrates, and courts were established and in the full exercise of their powers and duties, throughout those territories, and that they must continue. Mexico bound the United States to respect inviolably the property of every kind belonging to Mexicans established in those countries. The United States, also became bound as to those Mexicans who should not preserve the character of citizens of the Mexican republic, that they should be "maintained and protected in the enjoyment of their liberty, their property, and the civil rights then vested in them, according to the Mexican laws. To fulfill these obligations, courts, magistrates, etc., were absolutely indispensable and must exist.

Having now, we think, sufficiently shown that public authorities, before whom the declaration might be made, were anticipated by the parties to the treaty, we pause to inquire what act would have amounted to the declaration intended. This matter is not without previous adjudication in this court. At the January term, 1853, this very question was presented and determined in the case of *Quintana v. Tomkins.* The court used this language in their opinion: "As no mode has been prescribed, and no particular species of evidence required, it was an act that might have been performed in any sufficient manner and form, like any other disputed fact, by the best evidence of which the nature of the case admitted."

This was undoubtedly correct. It was an act that might have been performed in any sufficient manner. Such might be said with equal justice of all lawful acts susceptible of being performed under our laws. No one will question that where such acts are sufficiently performed, they are done; nor is the proposition to be controverted, that the act alluded to, when done, might be proven by the "best evidence of which the nature of the case admitted." The rule here asserted is one of the universal rules of evidence, and we know of nothing in the treaty which has changed its practical force. From the language quoted, we get no

tangible, definite idea as to what constituted a sufficient manner. The court failed to give any clear definition of what it would have considered such manner, though it held in the same opinion that "various modes of making election might have been adopted." In that case it was proven that Quintana was seen to sign his name "in the book," and that afterwards in conversations he stated that he was a Mexican citizen. The court held that the declaration was sufficiently proven, and that Quintana was a Mexican citizen.

Here, then, is a decision of this court, formerly made, that the election under the treaty could be and was made in this territory, and up to this time that decision has never been overruled by this bench. It, then, stands as the law upon that subject to all other tribunals in the territory, and must so stand until this court shall otherwise adjudge.

It is said in argument, that the declaration might have been bindingly made in whatever mode the person himself might select, provided it manifested the intention within the mind of the party to retain the Mexican character. To this proposition we cannot yield assent. Those who would avail themselves of the privilege granted were expected generally to remain within the territory. Their selection would deprive them of none of the most precious political rights and privileges within the land of their birth and homes. In the contests incident to a free government, to which the Mexicans were going to be introduced by the treaty, some mode, certain and permanent in proof, and beyond any mere oral testimony, surely must have been intended to be observed in the act of retention. It must have been done in such modes that the frailty of the testimony could not momentarily imperil the rights of citizenship. In our government, and also in the Mexican, as has been shown, no declaration concerning citizenship could be made without the aid and presence of some public authority. Varied as were the forms in both governments, there was one element ever present and universal, and without which no such declaration in any form was known to our laws. This was some court, magistrate or council, that should receive the declaration, and preserve the imperishable evidence of the act. Neither government ever trusted to memory the preservation of so solemn an act as that of the assumption of allegiance; an unchanging, an undying record was ever required.

The Romans were not the only people that ever lived, whose sons, by the simple utterance that they were "Roman citizens," averted danger and commanded protection in whatsoever country they might wander,

from interest or pleasure. Modern powers follow their citizens or subjects whithersoever they may lawfully go, and an injury to them by any foreign government is an injury to the government where the allegiance is rendered. It was the principle involved in this practice, that but recently equipped the formidable naval expedition that frowned upon the waters of La Plata, until redress was perfected for the wrongs done to the citizens of our republic. The power of Great Britain sends her battleships wheresoever the keel can part the waves and threatens with her cannon whatever people or government wantonly outrages him who bears with him the attributes and tests of being a British subject.

The inhabitants of this territory, in numbers, with heavy merchant trains yearly enter and traverse the Mexican states, making large purchases at the fair at San Juan, at the capital at Durango, and in Guadalajara. They seldom make their trips without moving amidst revolution upon revolution, raised and effected by various factions that spread distraction, insecurity, and ruin throughout the land. What safety have these traders aside from their character as citizens of the United States? Should they be known as persons from this country, who had retained the character of Mexicans, and owing allegiance to that government of their birth and election, what would save them from all the outrages, afflictions, and losses which the Mexican authorities of the hour might resolve to practice? Let the extent be what it might, how could the victim appeal to our government to redress them? Could the idea ever for a moment be tolerated, that the trader might be followed by his ruthless, deadly enemy, who, upon declaring that he has heard the merchant say in a private conversation at a hotel, upon the corner of a street, in a crowd, or while journeying upon the highway, in the workshop, or field, or elsewhere, that he intended to retain his Mexican character, and such should be received in Mexico as proof of such retention, and subject the pursued and persecuted to all the horrors the Mexican authorities might inflict? Can it be supposed that proof of such an act, even though the witness be wholly unblackened by perjury, would be sufficient to establish the declaration mentioned in the treaty, and fulfill the intents of the contracting powers? Are the rights of one who changed his allegiance to the United States to be so easily imperilled, should he be found, with his interests with him, within the limits of the Mexican states?

We come now to the proclamation found upon the lid of the book, and which in argument is conceded to be a true copy of the one issued by Colonel Washington, at the same time exercising the powers of civil

governor in New Mexico by virtue of his being the then military commandant of the United States in this region. To the objections so persistently urged that he had no authority to make such proclamation, we answer that no such act was needed or required to enable the Mexicans to make their election within the year. Their right was already full and perfect, and their means ample and complete. They had only to appear before some court then existing within the districts or counties, and having a record with a clerk bound by law to keep the same, and to truly record all of the proceedings of such court, or before the clerk in his official capacity, with his record, and in writing make the formal declaration. The right to do this could not be given by the acting governor, nor could he take it away. It existed independent of him, and this he doubtless well knew. Indeed, he had no purpose of speaking into life a new right, but to aid the inhabitants in the proper enjoyment of what was already in their hands.

It is incumbent at this point, in order to a full understanding of this whole question, to inquire, what position Colonel Washington then occupied towards the government of New Mexico and the execution of her laws. When war existed between Mexico and the United States, the president, as commander-in-chief, sent General Kearny, with a military command, to make conquest of this country. In the instructions given he was told: "Should you conquer and take possession of New Mexico, and Upper California, or considerable places in either, you will establish temporary civil governments therein." We need not say that the conquest was made and the temporary civil governments established.

On the eleventh of January, 1847, Mr. Marcy, secretary of war, writes to General Kearny, approving of the civil government and laws "established for the government of the territory of New Mexico," except such portions as proposed "to confer upon the people political rights, under the constitution of the United States." These the president disapproved, and directed they should not be carried into effect. It is added: "Under the laws of nations, the power conquering a territory or country has the right to establish a civil government within the same, as a measure of securing the conquest, and with a view of protecting the persons and property of the people, and it is not intended to limit you in the full exercise of this authority."

Under the same date, the president, through the secretary of the navy, wrote to Commodore Stockton, who had been invested "with the direction of the operations on land, and with the administrative func-

tions of government over the people and territory occupied by us, in California," that the course of our government in regard to California, or other portions of the territory of Mexico now or hereafter to be in our possession by conquest, depends on those on whom the constitution imposes the duty of making and carrying treaties into effect. Pending the war, our possessions give us only such rights as the laws of nations recognize, and the government is military, performing such civil duties as are necessary to the full enjoyment of the advantages resulting from the conquest, and to the due protection of the rights of persons, and of property of the inhabitants.

Also, under the same date, the secretary wrote to Colonel Price, the officer commanding the United States forces at Santa Fe, New Mexico: "The temporary civil government in New Mexico results from the conquest of the country. It derives its existence directly from the laws of Congress or the constitution of the United States, and the president cannot, in any other character than that of commander-in-chief, exercise any control over it. It was first established in New Mexico by the officer at the head of the military force sent to conquer the country under general instructions contained in the communication from this department of the third of June, 1846. Beyond such general instructions the president has declined to interfere with the management of the civil affairs in this territory. The powers and authority possessed by General Kearny when in New Mexico were devolved on you as the senior military officer on his departure from that country. They are ample in relation to all matters presented to the consideration of the president in the communication of the acting governor, Vigil, dated the twenty-third of March last, and to you, as the senior military officer, he will leave such matters, without positive or special directions.

"It appears from the letter of the acting governor of New Mexico, of the sixteenth of February, that he wishes to withdraw from the duties of that post, and only holds it until the president shall appoint a successor. On this subject, I am directed to say, that the filling of this office appertains to the senior military officer, to whom the temporary civil officer is subordinate. Should the present incumbent wish to retire from that office, you, or the senior military officer in New Mexico, if convenient or necessary to delegate the power, will select such person as you or he may deem best qualified to exercise the functions of that situation, and duly invest him with them."

At the like date the president directed General Kearny, in California, that upon his return the functions of civil government would

devolve upon the officer of the army next in rank to himself, or on such officer of the army as may be highest in rank for the time being. "It is not intended by what is said before, in regard to the functions of the temporary civil government being in the officer of the army highest in rank, to deny or question his right to invest any other person with the powers and duties of temporary civil governor, should such officer find it inexpedient or inconvenient to exercise these powers and perform these duties in person; but in case of such delegation of the functions of civil government, the person exercising them must be subordinate to the commander of the land forces, and removable at his will. The responsibility as to the military and civil officers rests with the officer in chief command of the military force."

It is settled throughout all branches of our government, that the president, as commander-in-chief during the war, had full power and authority to organize and set up the forms and rules of government, which, in pursuance of his orders and will, were ordained in New Mexico and California. That form was "military," and the functions of civil governor were reposed in the military commander for the time being. He was empowered to delegate his functions to another person, should he find it convenient or expedient to do so, as was done to Governors Bent and Vigil in this territory. Such was the form of government found here at the ratification of the treaty. Under date of December 10, 1848, the president, through the secretary of war, Mr. Marcy, writes to Major-General Worth: "The situation of the people of New Mexico is similar to that of the people of California. The views of the government, as presented in the letter of the secretary of state, you will regard as applicable to the inhabitants of New Mexico, and take the proper measures to make them known in that territory."

This letter was written by Mr. Buchanan, now president of the United States, and says: "By the conclusion of the treaty of peace, the military government which was established over them under the laws of war, as recognized by the practice of all nations, has ceased to derive its authority from this source of power; but is there for this reason, no government in California? Are life, liberty and property under the protection of no authorities? Fortunately, they are not reduced to this sad condition. The termination of the war left an existing government, or government *de facto*, in full operation, and this will continue with the presumed consent of the people, until Congress shall provide for them a territorial government. The great law of necessity justifies this conclusion. The consent of the people is irresistibly en-

forced, from the fact that no civilized people could possibly desire to abrogate an existing government, when the alternative presented would be to place them in a state of anarchy beyond the protection of all law and reduce them to the unhappy necessity of submitting to the dominion of the strongest." October 12, 1848, the secretary of war says to the officer commanding the forces at Santa Fe: "Whatever civil government is found to exist, is to be regarded as a government *de facto*, and also to be respected. Until a territorial government shall be provided by Congress, things must remain as they are. It will be the duty of the military authority there to defend the territory from invasions, to repress and repel Indian incursions, and preserve internal tranquillity. The important duty of the military force will be to protect the inhabitants of the territory of New Mexico, in the full enjoyment of life, liberty and property. The views of the executive, in relation to the civil authority, and the collection of revenue, you will understand from a copy of a letter from the state department, written with particular reference to the people of California."

We will now show what sanction the supreme court of the United States has given to the various orders and instructions. In the case of *Cross et al v. Harrison*, 16 How. 164, the court quote largely from the letter of Mr. Buchanan, and affirm the principles announced. They refer to the orders of the president, made through the secretaries, and say: "None can doubt that those orders of the president and the action of our army and navy commanders in California, in conformity with them, was according to the law of arms, and the right of conquest, or that they were operative until the ratification and exchange of a treaty of peace. It will certainly not be denied that those instructions were binding upon those who administered the civil government in California."

Again: "The government of which Colonel Mason was the executive, had its origin in the lawful exercise of a belligerent over a conquered territory. It had been instituted during the war by the command of the president of the United States. It was the government when the territory was ceded as a conquest, and it did not cease, as a matter of course, or as a necessary consequence of the restoration of peace. The president might have dissolved it by withdrawing the army and navy officers who administered it, but he did not do so. Congress could have put an end to it, but that was not done. The inference from the inaction of both is, that it meant to be continued until it had been

legislatively changed. No presumption of a contrary intention can be made."

We have made these large extracts from so many of the highest authorities in order to demonstrate the more clearly the nature of the executive in this territory from the time of the conquest by arms up to the ratification of the treaty, and from that period down to the institution of a territorial government by the act of September 9, 1850. The governments founded at the treaty continued *de facto*, and the executive functions of civil affairs remained in the hands of the senior officer in military command. He was, so to speak, *ex officio* civil governor, and authorized to perform all the necessary acts belonging to the executive power within the territory.

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We will now inquire if such a state of things existed in this territory, that such a proclamation was needed to emanate from the executive, to preserve the public peace and tranquillity, and our public honor and good faith in the fulfillment of our duties under the treaty. We find the highest evidence of what the president expected of the officers in command, in his letter of instructions dated April 3, 1849, to General Smith, commanding the Pacific division. He says: "The defense of the territory against foreign invasion, and the preservation of internal tranquillity, from civil commotion, will be objects of your care, and may require the exercise of your authority. The duty of regarding the obligations of the treaty lately concluded with the republic of Mexico, is now superadded; especially those provisions which relate to the time when the resident Mexicans are required to make their election of citizenship, and others who may choose to remove with their property beyond the limits of the United States into Mexico."

We scarcely need say that the same duty as specified in these instructions, in its fullest force, was upon the officer commanding in New Mexico on the nineteenth day of August, 1848. The Mexican congress, by a decree, authorized the appointment of a commissioner to proceed to New Mexico and aid such Mexicans as should not prefer to acquire the character of citizens of the United States, to emigrate to the Mexican republic. On the sixth of September following, the president of Mexico appointed and commissioned Ramon Ortiz, a priest, to execute the instructions of the decree. In due time he arrived in this territory. What followed is a part of the public history of New Mexico. Of this the court may take notice. It may refer to the safest sources of in-

formation to know the events of that period. So far as a knowledge of these is essential to the consideration of the matters under consideration, none can be more reliable than the written relation of the honorable Joab Houghton, who, from the conquest of the territory down to the induction of the territorial government, occupied the position of chief justice of the supreme court and circuit judge, and must have had full knowledge of all the movements resulting from the entrance of Ortiz among the Mexicans, and his promises to and deportment with them. The records of the executive proceedings of that time will also assist in the inquiry we are now making. After reaching Santa Fe the commissioner journeyed through some of the counties, and, to use the language contained in the narrative of Judge Houghton, produced a great excitement among the people, inducing a large portion of the inhabitants of those counties not only to declare themselves as retaining the character of Mexican citizens and their readiness at once to emigrate, but excited them to acts of disturbance and disregard of the then existing authorities. In fact, as it then appeared to both civil and military authorities, an open rebellion was threatened in consequence of the course taken by the commissioner: See executive records sustaining the truth of Houghton's statement.

So great was the commotion, that Governor Washington became alarmed for the public tranquillity, and ordered the commissioner to return to Santa Fe, and no longer communicate with the people personally, but put at his disposal the press of the city, by which he could issue his notices or proclamations. That course for a time allayed the excitement. The administration, however, of the territorial government found itself greatly embarrassed. It found in some of the counties the officials, such as the prefects, alcaldes, sheriffs, etc., insisting that they had declared to the commissioner their intention to retain the character of Mexican citizens. Many influential Mexicans were seeking some public mode of declaring their intentions. Under such condition of affairs, Washington, the commanding officer, published his proclamation.

In direct view of such a state of facts, well authenticated, and the obligations under which Colonel Washington held his command, and his powers as governor, to take care and preserve the internal tranquillity of the territory from civil commotion, and his superadded duty to regard the obligations of the treaty, especially those provisions which related to the time when the resident Mexicans were required to make

their election of citizenship; who, in view of all this, will still assert that the proclamation was published without authority, and was without any meritorious effect upon the matter to which it related? It was now after the peace confirming the conquest, in the midst of all the hatred and bitterness against Americans and the United States, which the conquest and its consequences had engendered among a people foreign in language, laws, customs, and religion, with the pride of kindred and race peculiar to all Spanish races, in the midst of those who had lately as the Mexican cabinet council said, "risen against the government and the American name and blood in the country," and when risen, whose steps and deeds were marked with murder, robbery, and fiendish atrocity in the village of Taos, and who, as the counsel assert, though "their plans were discovered and disconcerted, their conspiracies frustrated, did not cease to conspire." A popular, powerful, and well-known priest, clothed with a commission from the Mexican government, though dismembered and humiliated, was exciting the prejudices of the people, already hostile to the new government, offering bounties to those who would reject allegiance, and payment of expenses to them upon their emigration.

A failure on the part of congress to establish a territorial form of government had kept the doors closed against the ambitious struggles for distinction, preferment, and power, of the most intellectual, instructed, and talented. Their hopes that they would be relieved from the military rule and government had been disappointed. They were in much despair as to the future. They were seeking to know the most proper means of cutting themselves fairly loose from all allegiance to the United States, to abide the fortunes of their ill-fated mother republic.

Now, under the treaty they might make sure a right they and Mexico so much valued. It is rare in the United States that an executive finds himself surrounded by more exciting and critical circumstances than those presented to Colonel Washington. It was absolutely necessary to obtain some certain legal tests that would designate those persons of Mexican allegiance. It was the imperative duty of Washington to allay the increasing excitement and tranquillize the inhabitants. It was incumbent on him more than upon anyone else to inform the ignorant of the population of the easy and lawful mode by which they could declare their intentions, and retain their Mexican citizenship. He was the power to call the excited Mexicans to pause, to

consult more calmly and wisely their true interest, and let reason and judgment assume the control of the passions and prejudices in the selection to be made between Mexico and the United States.

He was equal to his duty and the occasion. By withdrawing the priest from among the inhabitants and issuing his proclamation, he attained, as far as the time would permit, the desired results. The people were informed that they were only to personally appear at the different prefecturas, or prefects' offices, in the counties, and in proper form record their names to retain their Mexican citizenship under the treaty. The disturbed state of the public mind calmed itself. A second thought convinced many of the impolicy of casting their own and their children's fortunes with Mexico. The commissioner was shorn of his power to deceive his Mexican friends, and do evil to the United States. Those who desired availed themselves of the modes the proclamation had declared to retain their Mexican character. We have arrived at the point to announce unhesitatingly, with a clear conviction, that those who did make their election in the manner and form pointed out in the proclamation, with a knowledge of their act, and without being the victims of fraud or violence, did preserve to themselves the right guaranteed in the eighth article of the treaty, and to the fullest extent the character of Mexican citizens; that they did voluntarily reject and refuse the citizenship of the United States, and retain that of Mexico.

In examining the questions connected with the proclamation, we do so as they were presented to the jury for their finding on the trial of the plea as the evidence stood, but as the facts have been conceded to exist in the arguments before the court the force of the testimony that went to the jury we will examine before this opinion closes. We think it not foreign to the inquiries we have made, to see what sanction or ratification the government of the United States impliedly or expressly gave to the act of Colonel Washington, and the rights which Mexican citizens perfected in the mode by him directed. At no time do we find that the president or congress disapproved the proclamation. From the moment that the proof appeared that a Mexican had elected to retain his Mexican character in due form in the prefecture, he was excluded from all places and share in the administration of the laws of the territory. He was turned from a seat as juror, and deprived of his functions as a local or county officer, and this exclusion remained, up to the establishment of a territorial government.

By searching, we can find no other test applied than having made the declaration in the place and manner required or pointed out in the proclamation. Congress, in giving an organic act to New Mexico, expressly said, "that the right of suffrage, and of holding office, shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the republic of Mexico, concluded February 2, 1848." In this, congress clearly intended to draw a distinction as to the ineligibility to office and voting of those who had preserved their Mexican character. It is implied in the provision that congress knew that a class of men were here who were not recognized as citizens by the treaty. It must be presumed to have known the elements about which and for which it was legislating, and adopted the language to show the intents of the section alluded to. Throughout the whole territory a body of men were recognized for nearly two years and a half before the organic act by themselves, the official authorities, and the entire mass of the inhabitants as not being citizens of the United States, because they had recorded their names in the records of the prefect as retaining their rights and titles of Mexican citizens. If congress did not mean those men in the provisions quoted, and thereby give full sanction and effect to the means by which they had reserved their character, and to the proclamation of Governor Washington, who, then were meant by that language; or could it have been idly written in the statute giving government?

Out of the the treaty arose a difficulty or misunderstanding as to the true boundary between the two republics. This is familiarly known among us in New Mexico as the "Mesilla question." It portended for a time another war between the nations. A new treaty, however, settled the strife. This treaty endeavoured to adjust all the preceding difficulties between the powers. It is not to be supposed that Mexico did not know in what manner the United States had fulfilled her stipulations upon Mexicans in New Mexico. Her commissioner, Ortiz, had fully reported to his government the result of his mission. Among the various grounds of complaint between the negotiators, none was offered by Mexico that the United States had enacted no law, no means by which the Mexicans could evidence their intentions of the character of Mexicans. What is known as the "Gadsden purchase," with her people, were to be ceded to our government. It does not seem to have occurred to either party that the new treaty should and ought to specify the mode in detail by which the Mexicans of that purchase

might retain the character of Mexican citizens. This treaty was concluded on the thirtieth day of December, 1853.

. . . . . .

With the thorough knowledge both powers must have had, it is fair to presume that they were well satisfied with the interpretation which had been given to the eighth article in New Mexico, and the manner of electing allegiance; and that further stipulation was required to secure Mexican rights. If this be correct, then we have the solemn sanction which a treaty, a portion of the supreme law of the land, impliedly imparts to the action of Governor Washington, and the mode in which Mexican citizenship was retained.

We deem it proper here to notice what has been some of the legislation of New Mexico as to the right of voting and holding office. The first session of the general assembly, under the organic act, was held in July, 1851. This is often referred to as being distinguished for the ability and high standing of its members in the territory. In enacting an election law, they enacted that "no person prevented by the organic law of the territory should be entitled to vote or hold public office." And further: "If any Mexican citizen prevented from voting by any of the provisions of this act, shall vote at any election hereafter held in the territory, on being convicted, he shall be sentenced to a fine not exceeding five hundred dollars, or to be imprisoned for a term not exceeding one year."

Those provisions have never been repealed. They remain this day in force. From "Mexican citizens" only being included, it is evident that the legislature had in view those who had retained that character; and intended to rigidly restrain them from the enjoyment of a privilege belonging only to citizens of the United States. Having occupied so much space in the investigation of the matters which have arisen in this case, before entering upon the last point to be considered, we will indulge the remark, that few questions of more personal importance to many, and general importance to all, can arise in New Mexico, than that we have been discussing, and about which we have announced conclusions. To be a subject under a despotism is to be naked of political rights. To be a citizen of the United States in New Mexico, elevates a man to being virtually his own legislator. This is a position not to be lightly esteemed. This great right should not be trifled with by those who enjoy it. Those who knowingly and wilfully pushed it aside or trampled it under their feet, after the treaty offered it to their hands, must place to their own charge their great loss. They should have

estimated more justly the strength, progress, and justice of the government inviting their allegiance. It is but truth and justice to say that many of those reputed to have made their election adverse to the United States, are among the men of the highest standing, for intelligence, worth and patriotism, in the territory.

As deeply as we may regret this citizen condition, still it is one of their own seeking, and from which they have a mode of extrication. The pathway of the bench is where the law and duty lead them. They are not to suffer their ears to be corrupted by the whispers that there are those who have personal political interests involved in this question. The breath of the demagogue, whose odor is always filthy to the upright, just and strong spirit, is inconceivably so, when attempted to be suffused toward the tribunal of justice. It is no part of the duty of these tribunals to ravish men into the rights of citizenship of the United States, who, in an evil hour, mocked at the privileges offered, and are as yet refusing to avail themselves of our naturalization laws. If outside of them relief is to be found, other branches of the government must give it, and not the judicial, however gladly an individual judge might interpret an act lessening the disabilities under which the elected Mexican citizen labors.

In another celebrated case in which several citizens of New Mexico sought to recover a sum of money on account of their having delivered over to the pueblo of Acoma the title deeds of that pueblo to its lands in New Mexico, which these New Mexicans claimed the Indians of Acoma had promised to pay them, Judge Benedict said:

Many things are contained in this answer, which, though curious in themselves, when regarded as true, yet cannot weigh with great force in favor of the respondent, when taken in connection with the entire response. De la O claims not only the right to detain said original papers from said pueblo of Acoma, but also to refuse them a copy of the same, by virtue of a contract made with said pueblo of Acoma, under and by virtue of which said contract, the said pueblo promised and agreed to pay the sum of six hundred dollars in money, or property at prices then agreed upon between the said pueblo and this defendant, and which said contract was made in 1850. He declares as his opinion that a copy of the document was given to the pueblo when the grant was made, and then, with much complacency, asserts, that if they, by negligence and want of care, have lost the copy, it now affords to the

pueblo no valid right to take from him, without compensation, the original document, which by the care and diligence of himself and ancestors has been preserved from loss and destruction until one hundred and sixty-six years after its execution.

This was placed in the answer with a view to suggest, doubtless, or show some consideration upon which to justify the claim of six hundred dollars from the Indians, for putting into their hands that which was their own property and of right had been theirs for over a century and a half of time, let the possession have been where it may. He evidently intended to inform the chancellor that through a long series of years his ancestors had done highly meritorious deeds in favor of the pueblo in relation to the document; that a debt had ensued in their favor against the pueblo, and that by some peculiar process the legal and equitable claims of this long line of ancestry against Acoma had concentrated in his person, as their only living representative, and that he had become the self-appointed executor to collect their interest and wind up their estate so far as the Acoma Indians were concerned.

It has been a graphic and expressive figure, not infrequently used to denote chancery powers, that the "arm of the chancellor is long." The expression is imposingly true in its meaning, if his arm can stretch itself through the long line of ancestral ranks of this defendant, and lay his hand upon the tomb of him who somewhere in the close of the seventeenth century, became the custodian of this document, and founded by his care and diligence, a pecuniary debt against Acoma, and handed the debt, the document and its custody, down from sire to son; the claim increasing from new services rendered by each succeeding generation, until at last this defendant becomes the lucky recipient of so many ancient merits. As the chancellor's arm rolls the various and steady accumulations of so many years, amounting to six hundred dollars, from the property of the Indians of the Penol or Rock of Acoma into the hands of Victor de la O, impressed with the consciousness that seriousness adds dignity to judicial deliberations, we will follow the defendant in his relation of the circumstances under which he became the possessor and keeper of the document.

According to the account rendered by himself, and this with the view of weighing the merit of the consideration set up for the promise of the six hundred dollars, he calls his narrative "shedding further light upon this ancient document." He states his age to be fifty-four years, birthplace Chihuahua, and that he is the only child of his father, Gregorio de la O, who died in the year 1810, near Corralitos, in said

state, at the age of sixty-four years; that his father was lieutenant of the dragoons of Spain; that he was a man of education and reading, and at his death had many papers and books; that defendant, by reason of his inability to read or write, did not know the value or nature of the books and papers, so he sold and squandered the most of them; that in 1833 he left Chihuahua and came to New Mexico, and in 1836 his wife also came hither, and that then the document and other papers were brought here by her, and that they have since then been here and in his possession; that the papers and documents were in his father's possession at the time of his death, but at what time or under what circumstances they came to his possession is wholly unknown to respondent, but he presumes his father came honestly by them as "waifs floating upon the boisterous ocean of some of the revolutions of his day."

Such is the light defendant throws upon the ancient document. When we consider the rank of the defendant's father as a military officer under the Spanish monarchy, the son appears to have been the victim of misfortune. The father not only had rank, and it is to be presumed was one of the hidalgos of the time, but he had that which was still more meritorious, he was a man of education and reading, and had many papers and books. All this indicates a cultivated man, and one whose mind and moral senses were not only awakened, but likewise tutored and enlightened. We can not refrain from doing him the justice to presume that his only child, Victor, deeply interested and moved his heart and hopes. Especially must this have been so, as Victor makes no disclosures as to his mother in relation to this highly important portion of his biography. It seems unaccountable, therefore, why so literary and improved a Spanish officer should so cruelly have neglected the education of his only son, "sole heir of his house and heart." The child soon to be left an orphan was not by this literary father even taught to read and write. This was only a portion of his ill-fortune. His father died, leaving the son when he was about ten years of age. It is saddening when we infer, as surely we must, that when so noted a personage left no one that would look after the interests of the estate, the large amount of papers and books fell into the hands of the boy, Victor, to sell and squander. It is a relief to the mind to believe that it rarely occurred in those days that such an estate and such an orphan could find no one to look after them. An administrator would have examined the papers and books, made an inventory, and brought to the attention of the probate the unclaimed

waifs. The magistrate would have known quickly where those titled and public documents belonged, and taken steps for their restoration. The son, not taught to read by the literary father, was left in the midst of waifs and papers, documents and books, and in his childishness and utter ignorance of their value was permitted to sell and squander them at his will and fancy. At what time he learned that he had the title to the pueblo of Acoma defendant has not given exact information. In one instance he seems not to have been so blighted by his evil luck as at these points of his life which we have reviewed. In 1836, his wife brought to New Mexico the documents and papers which had been omitted by him. These have remained in his possession ever since. This statement in the answer seems carefully worded, and shows with a great degree of pointedness, certainly, that he had all the papers and documents at the time of making his answer, including the one in question, that were brought to him when his wife came.

We pause here to inquire from what source he obtained the title to the pueblo of Laguna, and which he swears he sold to General Armijo for the sum of two hundred dollars, and Armijo sold to Sarracino, and the latter to Laguna? From whence was this waif picked up and thrown into the market when the titles to both Laguna and Acoma became of great moment and value from the controversies that existed between them as to those respective boundaries? From De la O's own showing it was not found by his father as one of the floating unclaimed waifs in his day. He came in 1833, ignorant of their contents. Three years afterwards his wife followed and brought them, as he says, and they were in his possession at the very moment of making his answer. Not a paper or a document had departed from him. His answer authorizes this position. Yet he was in the trade of pueblo titles, and made his appearance, with documents in hand, when the wants of the Indians were rendering them liable to fall victims to extortions, and when their property could be wrung from them upon grounds wholly indefensible upon any principles of common honesty and equity.

We notice that part of De la O's answer relating to his and his ancestors' care and diligence in preserving the document from destruction and loss until the end of one hundred and sixty-six years after its execution, and that portion professing to "throw further light" upon it. In the latter he goes no further than one ancestor, and that was his father, and then swears that at what time or under what circumstances it came to his possession is wholly unknown to defendant. From whom did he learn that his father ever had it? His father did not tell

him, for he asserts ignorance of its existence among the papers his father left. He did not learn it himself for he could neither read nor write. He shadows forth no knowledge of it until after the arrival of his wife in 1836. How did he then gain the knowledge of his father's possession, twenty-six years previous, when he died? Were the links of facts supplied by the wife's following the chain up to the aged lieutenant's possession? The possession of the Laguna document and its disposition will present itself, with all the force of the attending circumstances, full upon the mind, whilst examining this answer and weighing its credibility in the midst of its inconsistencies and extravagances. We can not avoid reflecting too, that De la O admits substantially that he did speculate in Pueblo Indian documents.

This court adheres, as it must, to the rule, that when a cause is set down for hearing upon bill, answer and exhibits, the answer is to be taken as true. It must, however, as to its statements, submit to a dissection by the court to ascertain what it admits or proves. As it stands, no further testimony can be introduced by the plaintiff to attack, nor by the defendant, to sustain it. Both bill and answer are before the court, and legal principles aid the chancellor as he dissects them, both to see what is proven and established. The complainants allege that the titles in question were made out in due form and deposited with the archives in Santa Fe. The defendant's answer to this portion of the bill is worthy of notice. He does not admit that they were so deposited, but avers his disbelief, and offers a short argument to the court to sustain his position. His argument is "that they were never deposited there, or their existence would have been known to some one, and the manner in which they were taken away or lost out of said archives, would be accounted for."

It is but fair to apply such force as there is in this reasoning to one of the grounds stated in the answer, and insisted upon by a positive averment. "That defendant had a right to withhold and detain said papers from the pueblo and from the secretary's office of this territory, because said paper, upon its face, purporting to have been executed at El Paso, a place now and always heretofore without the limits of the United States, and the jurisdiction of this court, would properly belong to the archives of that city, and not to the archives of the secretary's office of this territory, at Santa Fe; and that by the Spanish law, the originals of all public documents and papers remained in the archives of the place of their execution." Now defendant has sufficiently committed his conscience, that the document was deposited with

the archives at El Paso. How does he account for the manner it was taken away or lost from among those archives? How did it escape from there and become a waif unclaimed? How and when did it desert its secure abode among the archives of El Paso, and, separating itself from its companions upon the shelf, wander like a bird from the ark of safety, to be found lost and floating upon the revolutionary ocean which the imagination of defendant has pictured in his answer? His mind moved boldly around to imagine how the document, as a waif, floating unclaimed, was found, snatched from destruction, and preserved; but his spirit tired and drooped from the effort in its flight, his fancy retained no power to disclose how the document left the custody of its custodian on shore, to venture out at sea to endure so many perils, to be picked up by the literary lieutenant, and finally rescued by his illiterate son, as a profitable article of traffic in his trade in pueblo documents in New Mexico.

De la O avers that he had a right to withhold and detain the document in question, upon the ground that it belonged to the archives of El Paso. This averment deserves attention, with the view of seeing with what degree of cleanliness he shows his hands to the chancellor, after admitting that he had the document and that it pertained to the rights of Acoma. If upon such ground he had the right to withhold it from its owners, it was because it was a public document, belonging to a public office, to be kept by a public officer for public ends, and that being found in his hands, it was under legal protection even against its owners. For what purpose, then, was he protected in guarding the title? We answer, evidently it was that he might discharge the duty which he plainly manifests himself as having felt himself to have been under; that duty was without delay to have done all in his power to have restored the document to the public custodian. How, then, did he venture to make it a matter of traffic? How did he have the boldness to propose to sell the possession of a public document to the pueblo of Acoma, when it belonged to the custodian of the archives at El Paso? How does he assume the effrontery to come before the chancellor and defend his action in detaining the document from the Indians, because a public duty is in effect upon him, which the public cannot compel him to violate, while in the same breath he prays the court to compel the Indians to pay him six hundred dollars, while he violates it on his part? In what posture does he conceive himself to stand before the court while he asks it to sanction what he avers to be a contract with

the pueblo, while in the same connection, in his answer he swears in substance that he had no right or power to make such contracts?

In view of all this, as if to make a parody of the recklessness of his conduct, he openly avers, when, too, the avowal was in no wise required from anything appearing in the cause, that he had had the title to the pueblo of Laguna; that he had sold the same, not, however, to Laguna to whom it rightfully belonged, but to one unconnected with the pueblo, for the sum of two hundred dollars, in direct contradiction to the position he assumed for himself. He saw nothing wrong in turning a document of a public archive into the field of trade and profit for himself. It will not be said that the title to Laguna belonged any less to the public archives than did that of Acoma. Let the defendant have regarded his duty as he may have done, he certainly never made any efforts to lodge back into the hands of the public custodian the Acoma title. And yet he declares it has been so long a time in his possession. We do not deem it irrelevant to remark, that the abstraction from the archives of this territory of pueblo titles at a period not very remote has become a matter of very general notoriety from their nature and importance, and from their diffusion throughout the territory, and the frequent attempts at extorting money from the pueblos by means of these documents. We feel authorized to allude to the fact as one that has assumed the dignity of an historical event. Perhaps personal acts at a period when the political power of Mexico passed to the United States, in this country, and before the archives were possessed by the new power, could fully explain how the pueblo titles became floating upon the revolution of that day. Enough has been said to indicate our opinion as to the contracts De la O has attempted to set up.

Upon a dissection of the whole answer, we cannot perceive that it establishes even a conscientious and equitable ground upon which to base a consideration for the promise to pay six hundred dollars.

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We cannot admit that whoever comes into the possession of a public document, paper, or record, by finding or otherwise, thereby gains such a property in the same as to authorize him to estimate the value the record or other writing may be to him to whom it may belong, or who may have an interest therein, and to withhold the same from the rightful owner, or lawful custodian, until the sum estimated or demanded for the picking up and keeping shall be paid. The wrongs that might be perpetrated where such a doctrine should be recognized and en-

forced can neither be counted nor measured. Every man's titles and all documents would become the prey to insecurity. The fraudulent man would riot in this species of plunder, and the extortionist revel in his iniquity.

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His answer, when passed under dissection of scrutiny is found worthy to be only slightly valued. It plainly manifests that his hands, in times past, were stained in doing wrong to Indian pueblos, relative to their titles; and by his defense he but deepens their discoloration to a repulsive blackness.

Having closed our review of the merits of this case, we may be indulged in reflecting, that of the highly interesting causes we have had to consider and determine during the present session, this is the second in which this pueblo has been the party complainant. The first keenly touched the religious affections of these children of the Rock of Acoma. They had been deprived by a neighboring pueblo of the ancient likeness in full painting of their patron or guardian saint, San José. However much the philosopher or more enlightened Christian may smile at the simple faith of this people in their supposed immediate and entire guardian of the pueblo, to them it was a pillar of fire by night and a pillar of cloud by day, the withdrawal of whose light and shade crushed the hopes of these sons of Montezuma, and left them victims to doubt, to gloom, and to fear. The cherished object of the veneration of their long line of ancestry, this court permanently restores, and by its decree confirms to them, and throws around them the shield of the law's protection in their enjoyment of their religious love, piety and confidence. In this case, the title that Spain had given this pueblo, confirming to them the possession and ownership of their lands and the rock upon which they have so long lived, was found in the hands of one professing to be of a better-instructed and more civilized race, and turned by him into the means of extortion and money-gathering from the unoffending inhabitants.

It is gratifying to us to be the judicial agents through which an object of their faith and devotion, as well as the ancient manuscripts, that is the written evidence that established their ancient rights in their soil and their rock, are more safely restored and confirmed to their possession and keeping.

The newspapers and periodicals of Judge Benedict's time, and persons who knew him still living at Santa Fe declare that no better logician ever occupied the supreme bench of New

Mexico. He was a man of commanding figure, his enunciation was clear and distinct, which, coupled with easy, graceful gesture, stamped him as an orator of no ordinary pretensions. He indulged largely in anecdote, and had a keen appreciation of the ludicrous. In biting satire and bold invective he had no superior at the Illinois bar. In his intercourse with others, Judge Benedict was social, genial, and entertaining; in fact, in his earlier career on the Illinois circuits, he was the life of any company in which he was thrown. He knew how to adapt himself to the taste and character of his hearers. His fund of humour was inexhaustible.[4]

Judge Benedict belonged to the party of the political faith of Stephen A. Douglas. He was opposed to secession in any form. He esteemed it the duty of every citizen to aid in maintaining the Union, and at Santa Fe took a strong position in this regard, even at the time when the capital was occupied by General Sibley and his Confederate troops.

He was a master of satire, sarcasm, and ridicule. His knowledge of the political history of the country was remarkable. The opinions in *Territory vs. Carter*, and in *Acoma vs. De la O*, establish how soon after his advent in New Mexico he had mastered the history of the Territory.

He was a man of fine literary tastes, and in English literature he excelled. His keen sense of humour and cutting sarcasm are reflected and well illustrated in his opinion in the *De la O* case and also in the wording of his sentence of death upon José Maria Martín. Martín had been convicted of murder at a term of court at Taos, presided over by Judge Benedict, who, in imposing the death sentence, said:

José Maria Martín, stand up! José Maria Martín, you have been indicted, tried and convicted by a jury of your countrymen of the crime of murder, and the court is now about to pass upon you the dread

[4] Linder's *Reminiscences*, p. 203: "He was chief justice of the Territory of New Mexico when Mr. Lincoln was elected to the presidency and though he was strongly besieged by political aspirants to remove Benedict and appoint a man of his own party to fill the place, Mr. Lincoln positively refused to do so; and, when asked for his reasons, told them that he had enjoyed too many happy hours in his society and he was too good and glorious a fellow for him to lay violent hands upon; that he could not find it in his heart to do so, and he wouldn't; nor did he."

sentence of the law. As a usual thing, José Maria Martín, it is a painful duty for the judge of a court of justice to pronounce upon a human being the sentence of death. There is something horrible about it, and the mind of the court naturally revolts from the performance of such a duty. Happily, however, your case is relieved of all such unpleasant features and the court takes positive delight in sentencing you to death!

You are a young man, José Maria Martín; apparently of good physical condition and robust health. Ordinarily you might have looked forward to many years of life, and the court has no doubt you have, and have expected to die at a ripe old age; but you are about to be cut off in consequence of your own act. José Maria Martín, it is now the spring-time, in a little while the grass will be springing up green in these beautiful valleys, and on these broad mesas and mountain sides flowers will be blooming; birds will be singing their sweet carols, and nature will be putting on her most gorgeous and her most attractive robes, and life will be pleasant and men will want to stay; but none of this for you, José Maria Martín; the flowers will not bloom for you, José Maria Martín; the birds will not carol for you, José Maria Martín; when these things come to gladden the senses of men, you will be occupying a space about six feet by two beneath the sod, and the green grass and those beautiful flowers will be growing above your lowly head.

The sentence of the court is, that you be taken from this place to the county jail; that you be kept there safely and securely confined, in the custody of the sheriff, until the day appointed for your execution. (Be very careful, Mr. Sheriff, that he have no opportunity to escape and that you have him at the appointed place at the appointed time.) That you be so kept, José Maria Martín, until — (Mr. Clerk, on what day of the month does Friday, about two weeks from this time, come? "March twenty-second, your Honor.") Very well — until Friday, the twenty-second day of March, when you will be taken by the sheriff from your place of confinement to some safe and convenient spot within the county (that is in your discretion, Mr. Sheriff, you are only confined to the limits of this county), and that you be there hanged by the neck until you are dead, and the court was about to add, José Maria Martín, "May God have mercy on your soul," but the court will not assume the responsibility of asking an allwise Providence to do that which a jury of your peers has refused to do. The Lord could not have mercy on your soul, José Maria Martín! However, if you affect any religious belief, or are connected with any religious organization,

it might be well for you to send for your priest or your minister and get from him — well — such consolation as you can; but the court advises you to place no reliance upon anything of that kind! Mr. Sheriff, remove the prisoner.

After the Confederates, led by General Sibley, had made their escape from New Mexico, and upon the arrival of General James H. Carleton from California, in 1862, many of the newcomers, prominent officers of Carleton's command, became dissatisfied with Judge Benedict and undertook to secure his removal as chief justice. Quite a number of these ex-officers were of the legal profession and all powerful in the military government which Carleton maintained. All of them were pronounced republican party partizans. Within a year charges were formulated against Judge Benedict declaring his unfitness for the bench. These were forwarded to Washington and presented to President Lincoln by the delegate in congress and a number of influential officers of the army. The president, in a discussion of the charges, one of which was that Benedict was very much addicted to the use of intoxicating liquor and had often attempted to preside as chief justice when under the influence of brandy, said: "Well, gentlemen, I know Benedict. We have been friends for thirty years. He may imbibe to excess, but Benedict drunk knows more law than all the others on the bench in New Mexico sober. I shall not disturb him." President Lincoln often wrote to Benedict, a fact which was well known to Benedict's personal friends, who took care that the fact should be well known throughout the Territory. Benedict seems to have taken an important part in the political affairs of the time. He was interested in, if not the owner of, a newspaper published at the capital, the *New Mexican*. It is true that he was a leader of a very considerable portion of his party, and the chief of all in his opposition to the military domination of General Carleton and his army associates and friends. In his newspaper we find Benedict declaring that "Owing to the unsatisfactory management of the military affairs of the Territory by General Carleton, the traveler can not safely pursue his journey owing to attacks

from the hostile Apaches." As to Bosque Redondo and Carleton's Navajo policy, we find him saying that the removal of the Navajos to Bosque Redondo is an entire failure; that the army of contractors was assessed for its share towards the support of his paper (General Carleton's) and the campaign, and were forced to "come down." These are very mild allegations of graft charged by the *New Mexican* against the commander of the department and his friends.

A warm personal friend of Benedict was the delegate-elect, Col. J. Francisco Chaves. Colonel Chaves, it was charged by General Carleton in his paper, was pledged to the appointment of Federal officials for New Mexico as desired by Judge Benedict, who were as follows: Don Tomas C. de Baca, for governor; for secretary, Don Miguel E. Pino; for assessor, William H. Manderfield, editor of the *New Mexican*. M. L. Byers had already been named postmaster at Santa Fe, and Thomas Means was slated for surveyor-general. These were all friends of Benedict.

In the *Santa Fe Gazette* of November 18, 1865, the editor, Collins, says of Benedict:

Whilst we were reading an article in Benedict's *New Mexican* last week which contained a rehash of all the slanders that himself, Knapp, and others have published about General Carleton, and the military officers generally of the Territory, and which have been time and again refuted in these columns, we say, that when we were reading that article it appeared strange to us that a character so vulnerable as is Benedict, should persist in publishing and advising the publication of such things.

Look at him as he stands in this community. As long as he has lived here he has not secured the real friendship of a score of men. His alliances with men are all for selfish purposes and never continue longer than they subserve his own purposes. When in league with men his sycophancy is not equalled by that of the dog which licks the hand of his master, and when he is out of league with men he is their vilest traducer. What are his present associations? With men whom one year and a half since he was blackguarding like pickpockets.

When he made his offer to Arny to become partners in the secretary's printing, and Arny made affidavit to the fact, he with great

parade swore before Almighty God that Arny had not told the truth. He then published the two, the affidavit and the oath, in his *New Mexican*, and in editorial comments virtually charged Arny with having committed perjury in the matter. Said it was dangerous for gentlemen to converse with Arny without having a witness present; called his office an affidavit-shop, etc., etc. All this in the columns of his paper. Now, he is in league with Arny, and considers him a marvelous proper man.

During the campaign for delegate two years ago, he wrote and published all the derogatory things of Miguel E. Pino that he could think of. Now, he has Miguel for a bosom friend, and, *sub rosa*, in secret conclave, has agreed that he shall become secretary of the Territory in place of Arny. He thinks he can make more by an alliance with the former than the latter. He has used him until he is almost done with him. One more slice of Arny's patronage will close up the concern, so far as Benedict is concerned.

Who does not remember how he, but a comparatively short time since, lampooned Major John Greiner in his paper — the Dog, the Owl and the Snake articles which he wrote, published and carried around about the streets to read, with accompanying explanations, to admiring crowds, is, we have no doubt, fresh in the minds of the people of Santa Fe, as well as the manner in which he connected with it, the major and his office. Besides his insidious publications, he lost no opportunity to make disparaging remarks about the major and his family, in the bar-rooms and public places where he was, and is, wont to get drunk. Now he affiliates with the major, and is playing toady to him to secure in his behalf whatever political influence the major may have to bestow upon him.

We could proceed with this and show his conduct towards Hon. Francisco Perea, Hon. John S. Watts, Hon. José M. Gallegos, General Carleton, and almost all the public men in the Territory, but to do so would be only to repeat the story that is related of the above men.

Now we say that it does seem strange that a judge who notoriously bears this character — whose official corruptions are a matter of common conversation among litigants and attorneys, practicing in his courts — who makes disgraceful exhibitions of himself by becoming beastly drunk when upon the bench, holding supreme court — who desecrates the Sabbath, appearing on the streets reeling drunk when citizens are going to and returning from church — who sits in judgment upon himself upon presentment of the grand jury of his own

courts, against himself, for gambling, and unblushingly approves of his own fine for violating the law, which it is his official duty to enforce — we say that it does seem to us strange, that a functionary of this character — a character so well known and abhorred — should persist in attracting public attention to himself by continually endeavouring to injure the fair name and reputation of others.

In truth Benedict's chief dereliction was a fondness for liquor. At this time, Benedict had emerged from a bitter political campaign which he had largely fostered, resulting in the election of J. Francisco Chaves for delegate. General Carleton and his friends had been defeated. Benedict, as chief justice, was all-powerful and he was selected as the "head and front of all offending." The editor of the *Santa Fe Gazette* was James L. Collins, a very prominent man and the mouthpiece of the party opposed to Benedict and his friends, among whom were numbered the most influential men of New Mexico. In these newspapers we find portrayed all the distinctive beauties of a territorial form of government in the days immediately following the Civil War.

The reference to Judge Benedict having fined himself under an indictment for gambling recalls the facts as stated to the writer by Colonel William Breeden. Judge Benedict, as well as every other man of prominence in the Territory, gambled at monte, faro, and poker. In his charge to the grand jury, Benedict was particularly severe in his arraignment of those who were guilty of infraction of the anti-gambling laws, which were practically a dead-letter. At every term of court it was customary for fines to be assessed against the persons who followed gambling as a profession. The grand jury, at the instance of the attorney general, who was a great practical joker, promptly found a true bill against Benedict and every other lawyer at court, the first indictment being against the judge. The lawyers had expected that Benedict would impose a small fine against himself and that having done so he would be bound to assess a similar fine against themselves. Benedict, however, waited until all the indictments had been returned, and asking the clerk for the entire number summoned

them to the bar for purpose of pleading to the indictments. All pleaded guilty. Benedict adroitly slipped the indictment against himself to the bottom of the pile of papers, and commenced imposing fines, giving each of the lawyers, including the attorney general, fifty dollars and costs. Finally he reached the indictment against himself, when he announced, not mentioning the name of the defendant: "In case Number 435, Mr. Clerk, you will enter a plea of guilty for the defendant, who is fined the sum of fifty dollars and the costs, the payment of which is suspended during good behaviour."

In another editorial philippic directed against the chief justice, the *Santa Fe Gazette* declared that Benedict,

> . . . upon completing the fall trip of his political machine, which he calls a court, has returned to the city and through his organ has given Chief Justice Benedict another of those semi-annual editorial puffs which to Chief Justice Benedict are so delightful, and to write which does give Chief Justice Benedict so much pleasure. Chief Justice Benedict in the estimation of Chief Justice Benedict is one of the most remarkable men of the age, that is if we are to believe what he says in his editorials about Chief Justice Benedict. He turns his court into an electioneering machine, threatens suitors with the displeasure of the chief justice, if they do not conform to his political notions; has grand jurors and witnesses summoned to attend the U. S. courts, not to investigate offenses against the law or to give evidence in court, but to make party capital, and then comes home from the circuit and says he has been holding courts, and lauds himself to the very skies for having done that which other men would blush to have it suspected they would be guilty of, under similar circumstances.
>
> But Chief Justice Benedict's demagogism is so thoroughly ingrained, and he imagines himself to be so shrewd a politician that he forgets where courts end and where caucuses begin, and he merges the two so completely that the courts are lost sight of and the caucuses are all that can be seen by suitors, let the chief justice give them what appellation he may. Names being changed, that is, things being called by their proper names, Chief Justice Benedict in his autumnal editorial puff of the chief justice could have with great propriety said: "No district caucuses, except those held by Chief Justice Benedict in his district, have been holden by any other judge in the territory since the fall of 1864."

With these glaring facts before him, and they are so patent that all see them but himself, Benedict does not hesitate to assail other public officers of the Territory who do their duty to the government, honorably and efficiently, but who do not run a little newspaper through which to sound their self-laudations as he does. He makes sneering remarks about the superintendent of Indian Affairs, Don Felipe Delgado, an officer before whose integrity and honesty of purpose Benedict would appear as blackness does before white. By attempting to be smart and ridicule General Carleton, who as department and district commander, has faithfully and successfully done his duty and who, in despite of the contrary efforts of Benedict and all others of his kith and kin, has put the Territory in its present prosperous condition within the last two and one-half years — we say by attempting to ridicule this officer he becomes himself a subject of ridicule, if not of contempt, in the eyes of all men, who have a proper appreciation of things as they exist in our midst.

We had thought that the notoriety which he had won for himself, of being a most inveterate political judge, would have counseled him to be more prudent in the future and at least conduct himself within the rules of propriety. That, however, was a mistake. He must dabble, dabble, dabble in the dirty pools of politics, which he himself stirs up and from which he constantly bespatters himself with mire the most filthy.

These editorials do not reflect the true public opinion of the time. The personal equation and political prejudice were largely responsible for these vituperative attacks upon the judge. He was the leader of the political party then dominant in territorial affairs and had been successful in the campaign which resulted in the defeat of Colonel Francisco Perea for delegate in congress. Genuine public opinion may be predicated by the vote of the capital, where Benedict's candidates were all successful. Again, other than the "army" contingent, Benedict numbered as friends the most powerful and best men of the Territory. His habits were necessarily deplored, but these were the natural outcome of the free and easy conditions surrounding life on the frontier, and particularly at Santa Fe during that period.

The assassination of Lincoln deprived Benedict of his best friend. His term having expired, he made application to

President Johnson for reappointment. It is not known whether the charges which were again filed with the president were responsible for his failure to secure the appointment, but it was declared by many that his known friendship for and sympathy with the then chief justice of the Supreme Court of the United States, Salmon P. Chase, had much to do in preventing his selection by President Johnson, who nominated General John P. Slough for the position in 1866.

His failure to secure a reappointment caused him to become very irritable and morose. He took up the general practice, but his personal habits were such that he had many difficulties with the presiding judges and finally was suspended from practice.

At a term of court held in Socorro, presided over by Judge Perry E. Brocchus, who was hard of hearing and very sensitive over the deficiency, Benedict was engaged in the presentation of a motion, and in his argument spoke very loudly and with great violence of gesture. Judge Brocchus stopped him, saying: "Judge Benedict, it is entirely unnecessary for you to speak so loudly. The court hears you without difficulty, and your loud tones and gesticulations are exceedingly unpleasant." Benedict apologized, resumed his argument, but speedily was as loud and vehement as ever. Again the court stopped him, saying: "Judge Benedict, your tone of voice and your violence are offensive to the court, and you will be more moderate in your tone of voice or suspend your remarks entirely." Again Benedict, who was slightly under the influence of liquor, apologized and remarked, in extenuation of his conduct, that in the heat of argument he had forgotten the court's instructions. Benedict again resumed and soon was sawing the air with his hands and lifting his voice like the bull of Bashan. Judge Brocchus stood the very patent indignity for a few moments, then rapping on the bench, said: "Mr. Sheriff, the court takes a recess for a few moments." He then climbed down from the bench, took the distinguished Benedict by the lapel of his coat, saying: "You impudent old scoundrel, you howl at this court and I will thrash you all over this room."

Benedict was very profuse in his apologies and was released by Brocchus, who was a man of considerable muscular ability, and in his youth, in Baltimore, a fighter of some local reputation. Thereafter Benedict proceeded with great moderation in his conduct in his court.

He was suspended from practice by the supreme court in 1871. He made several demands for reinstatement, unaccompanied by any apology for his previous bad conduct, and finally, finding that course unavailing, he tendered an apology and asked to be restored to his position as a member of the bar of the court. His application was referred to a committee, consisting of Justices Hubbell and Houghton and Colonel William Breeden, "to report whether the habits and character of Kirby Benedict are such as to make him a fit person to practice in this court." The action of the court came as a great surprise to Benedict, who, greatly humiliated, withdrew his application and soon thereafter died.

No one denied Benedict's ability. Every one conceded that his was a rare spirit for relieving the hard and dry work of the profession with the enlivenment of dry humor and happy jest. His friends sought him and believed in him largely on account of his exceptional social qualities. All those who knew him testify as to that perfect enjoyment resulting from the entertainment of his seemingly inexhaustible anecdote and pleasing reminiscences.

Once at Albuquerque, before Judge Hubbell, Benedict, in presenting a motion seemingly made a remark reflecting upon the intelligence of the court. "Sit down," said Hubbell, "you are drunk." "That is true," said Benedict. "I am surprised that your honor is enabled to make so correct a decision."

Like most men of genius and free social intercourse, the habits contracted by Judge Benedict greatly impaired his usefulness and hastened the causes of his untimely end.

EDITORIAL

OLD SANTA FE begins its career as a repository for the publication of documents, contributions, illustrative matter, antiquities, and papers devoted to archæological research, dealing with the history and archæology of the Southwest, with the purpose of supplying a demand which has increased with the passing years.

A larger and more attractive field has never been explored. OLD SANTA FE will appeal to all classes. The name is broad, distinctive, and comprehensive. Historically it means something. For three centuries the city of that name was the military, official, commercial, and social center of Southwestern life. Hundreds, yes, thousands, of unique and intensely interesting human documents rest quietly among the Spanish and Mexican archives. OLD SANTA FE will give them an opportunity to see the light of day, thus placing permanently on record in the private and public libraries of the country documents of the highest interest and importance.

The great Southwest has long needed such a medium and it is for that purpose that OLD SANTA FE has been founded. The documentary history of the country, in time, will be made accessible to the historical students of the entire world.

Records, documents, portraits, and historical illustrations reproduced will add great value and attractiveness to its pages.

Biographical sketches of all of the notable men of the past, the record of whose lives is in part the history of the Southwest, from time to time will be given to our readers.

OLD SANTA FE will be as nearly a standard publication of its kind as careful thought and untiring energy are capable of producing.

OLD SANTA FE has been designated as the official bulletin of

the New Mexico Museum, the School of American Archæology at Santa Fe, and the Historical Society of New Mexico.

The genealogical foundations of the early explorers, conquerors, and pioneers, so far as is possible, will be traced to their Spanish or other European origin. Fortunately the records of the Church in New Mexico, Arizona, and California make this branch of work comparatively simple in tracing ancestral strains through the past three centuries in the Southwest. In New Mexico, it is not at all difficult to obtain positive documentary proof of genealogical facts. It is proposed to reproduce this documentary evidence, and in so doing, accuracy and exhaustiveness will be the watchwords.

It may be said safely that the descendants of the *Conquistadores* and *Re-conquistadores* are easily ascertained and traced through the Church and other available records.

The papers descriptive of the work of the School of American Archæology will prove of untold interest to many.

Through the generosity of the people of New Mexico and the interest of the citizens of Santa Fe this school was located in the heart of what is pronounced the most important area for archæological study within the boundaries of the United States.

Within the walls of the Palace of the Governors, the oldest governmental structure in the United States, in the state museum are installed, as they are discovered and assembled by the school, the specimens of all ancient cultures. Papers descriptive of these will be published. Photographs, sketches, maps, models, and restorations, supplying scientific and historic detail, material secured by excavation illustrating the arts, industries, and social and religious life of the pre-historic people who inhabited these areas, all will find reproduction in the pages of OLD SANTA FE.

The manner in which it is expected to make these presentations will appeal to persons of every grade of intelligence. The work of the department of illustration and design, map-making, restoring, water-color, and the system of exhibiting the

collections of the museum will be outlined and portrayed as minutely as is possible.

The publication of the extensive Spanish manuscript collections of the Historical Society of New Mexico, carefully translated and annotated, will be undertaken. These valuable documents will prove interesting to all students of Southwestern history.

A survey of this rich field for historical research at once discovers a wealth of material almost inexhaustible and of a character that will delight both scholar and layman.

The Spanish and Mexican archives, including those of Chihuahua, Durango, Guadalajara, and the City of Mexico will be searched for information relative to the history of the southwestern portion of the United States, and in translated form will be published as rapidly as the painstaking character of the work will permit.

The subscription price for OLD SANTA FE has been placed at THREE DOLLARS per annum; single numbers SEVENTY-FIVE CENTS. All subscribers are requested to send their subscriptions, accompanied by express, post office order, check or draft to R. E. Twitchell, Box "A," East Las Vegas, New Mexico.

BIOGRAPHICAL

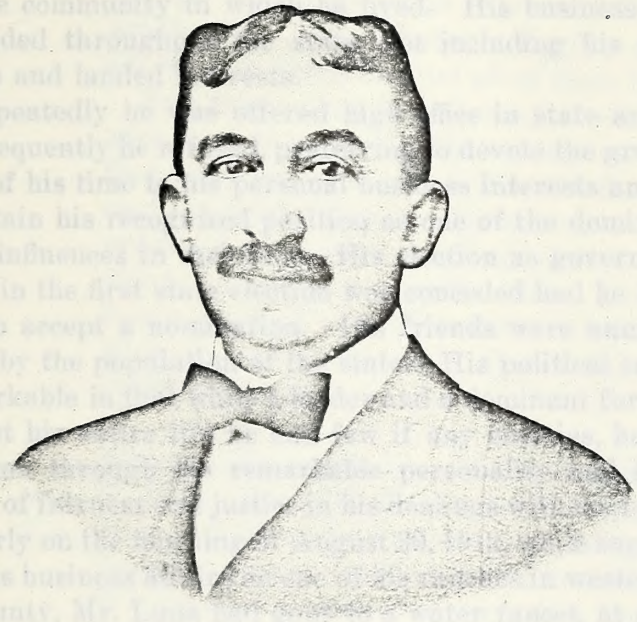
Solomon Luna was born at Los Lunas, New Mexico, October 18, 1858. He was the son of Don Antonio José Luna and Isabella (Baca) Luna, whose ancestors came to New Mexico early in the eighteenth century.

Mr. Luna received his early education from private tutors and graduated from St. Louis university. Having reached his majority he followed in the footsteps of his distinguished ancestors and became prominently interested in the sheep-raising industry, a business which proved very profitable. He was considered one of the foremost growers in the world, his interests being by far the largest in New Mexico.

In 1881 Mr. Luna was united in marriage with Miss Adelaida Otero, daughter of Don Manuel Rito Otero, a representative of the old and distinguished family of that name. She is the grand-daughter of Justice Antonio José Otero, whom General Stephen W. Kearny appointed to the bench in New Mexico at the time of the American Occupation in 1846.

Mr. Luna was repeatedly called to public office by the people of the county of his birth, Valencia, where he was the leading political and business influence from early manhood. In 1885 he was elected probate clerk; in 1892, sheriff, and in 1894 he was chosen treasurer and collector of the county, a position he held continuously until the day of his death.

In 1896 Mr. Luna was chosen a member of the national republican committee, which place he also held until his untimely death. He was the next oldest in time of service upon that committee. He was repeatedly honored by positions of greatest responsibility and enjoyed the acquaintance and friendship of high officials of the government for many years. From the first he was a power in New Mexico affairs. In business



SOLOMON LUNA



life he was among the foremost in the state and was recognized as one of the builders of the Sunshine state.

He was a vice-president of the First National Bank of Albuquerque, one of the chiefs of the Occidental Life Insurance Company, a holder of heavy real estate interests in Albuquerque, and a leader in every movement for the industrial welfare of the community in which he lived. His business interests extended throughout the state, not including his enormous sheep and landed interests.

Repeatedly he was offered high office in state and nation. As frequently he refused, preferring to devote the greater portion of his time to his personal business interests and content to retain his recognized position as one of the dominant political influences in the state. His election as governor of the state in the first state election was conceded had he been willing to accept a nomination. His friends were numbered almost by the population of the state. His political career was remarkable in that while a leader and a dominant force during almost his entire life he had few if any enemies, holding his position through his remarkable personality and his broad sense of fairness and justice in his dealings with his fellowmen.

Early on the morning of August 30, 1912, while superintending his business affairs on one of his ranches in western Socorro county, Mr. Luna had gone to a water faucet, at a dipping tank, for some purpose, either for a drink or to wash his hands. Later his body was found in the tank. He had either suffered a stroke of apoplexy, heart failure, or had fainted, falling into the vat which was filled with a mixture of lime, tobacco, and water to a depth of approximately three feet. He may have been dead when he fell into the vat and again he may simply have become unconscious and have drowned quickly in the strong solution used for the dipping of his herds.

The sudden and tragic death of Mr. Luna was a great blow to the hundreds and thousands of men in New Mexico who knew him, respected him in business, in political and in social life, for more than a quarter of a century. His passing in the prime of life and at a time when his capacity for usefulness to the

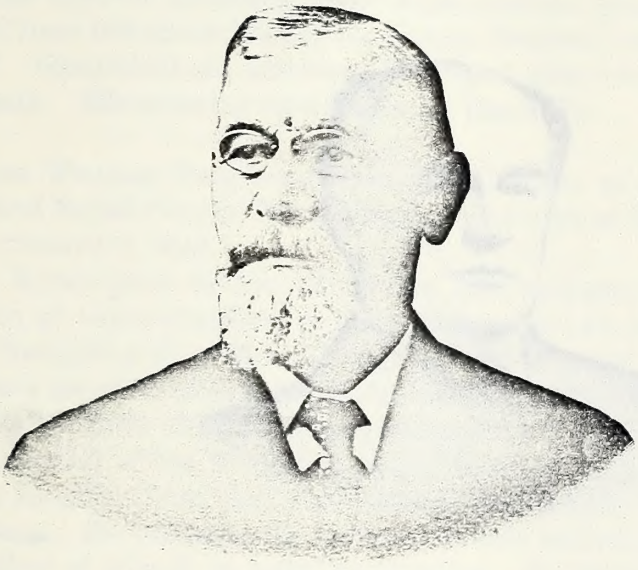
state was at its height was a tragedy coming directly home to all New Mexico. A firm friend, a just and impartial opponent, able, resourceful, and a leader in the upbuilding of the state, his untimely death was a loss which the state was ill prepared to sustain.

When the state legislature met in March, 1912, Mr. Luna was the one man in the state who could have been elected to the senate of the United States on the first or any other ballot. He set his face firmly against all of these honors.

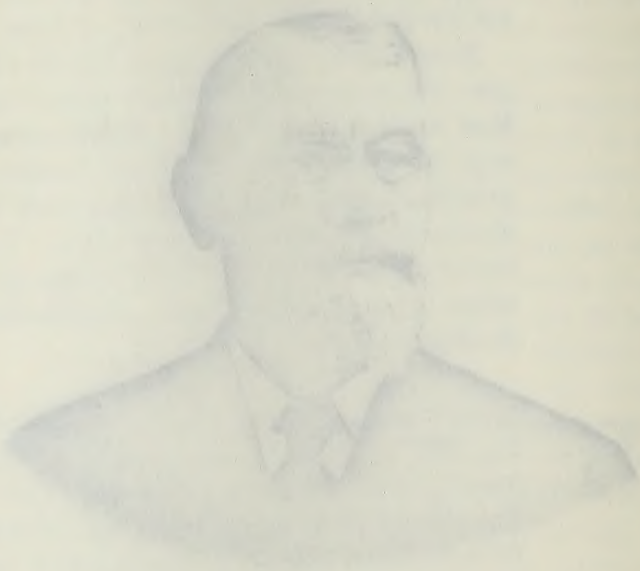
Now that he has passed away, it will not be out of place to give the real reason for his constant refusal of the high honors that were tendered him. When under great pressure to accept the senatorship, Mr. Luna declared to a close friend: "I promised my mother years ago that I would never be a candidate for or accept a public office. I am not insensible of the honor attached to a United States senatorship, but I cannot allow my name to be used. If elected I would be compelled to decline to serve."

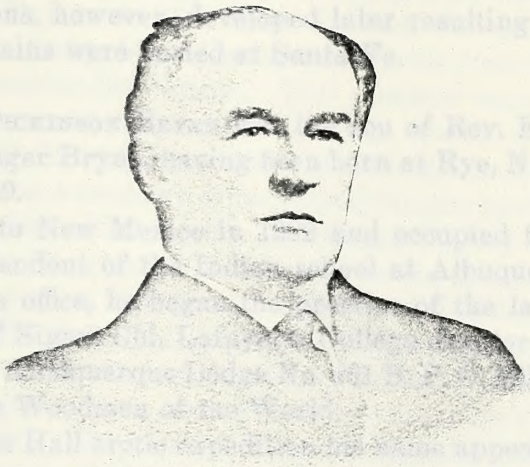
Abraham Staab was born in Westphalia, Germany, February 27, 1839. Realizing the possibilities in America, he left Germany in 1858, and for a time made his home in New York City. Together with his brother, Zadoc, he came west and in the early 60's founded a general merchandise business at Santa Fe, at that time the commercial, political, military, and social center of the great Southwest. For a quarter of a century Z. Staab and Brother was one of the leading firms carrying on a general freighting business over the Old Santa Fe Trail. The firm filled many contracts with the government of the United States in furnishing the troops on the frontier with supplies and rations of every sort. These contracts were very profitable from a commercial standpoint.

In 1884 Mr. Staab acquired the interest of his brother and conducted the business for many years. By industry and integrity coupled with intelligent business methods, he amassed a large fortune.



Abraham Staab





R. W. D. BRYAN



Mr. Staab always did his share in promoting the interests of the capital city, where he made his home and where he had erected a magnificent residence.

During the last ten years of his life he suffered from the malady which finally caused his death. Accompanied by a son, Dr. Edward A. Staab, of New York City, he had gone to Pasadena, California. While there he was operated upon with the hope of obtaining relief from uræmic trouble. He rallied from the operation and his prompt recovery was anticipated. Complications, however, developed later resulting in his death. His remains were buried at Santa Fe.

Richard William Dickinson Bryan was the son of Rev. Edward and Sarah Conger Bryan, having been born at Rye, New York, October 6, 1849.

Mr. Bryan came to New Mexico in 1882 and occupied the position of superintendent of the Indian school at Albuquerque. Resigning this office, he began the practice of the law. He was a member of Sigma Chi, Lafayette College chapter, a past exalted ruler of Albuquerque Lodge No. 461 B. P. O. Elks, and a member of the Woodmen of the World.

As a member of the Hall arctic expedition his name appears in history. He subsequently lectured on this subject and was the author of a book on polar exploration. He joined Hall's expedition in 1871 and spent two years above the arctic circle as astronomer. His name appears in all the thrilling events in the record of that expedition.

One incident is characteristic of Mr. Bryan: He became lost while reconnoitering and Captain Hall was about to organize a relief party when Mr. Bryan returned to the vessel completely exhausted. He became unconscious and did not recover for several hours. When he regained consciousness the captain and several officers were closely watching him.

"Captain, traveling in this country is very discouraging," was his first remark.

Captain Hall died in the North, but Mr. Bryan saved his

notes and the history of the expedition was preserved by him. It is one of the most interesting accounts of Polar expeditions ever published.

After his return to the United States he was graduated from the Columbian law school in 1876, and began the practice of his profession in Washington, D. C. In 1882 he came to New Mexico, taking charge of the Presbyterian Indian school. He held this position until the government took charge of the school, when he returned to the practice of his profession.

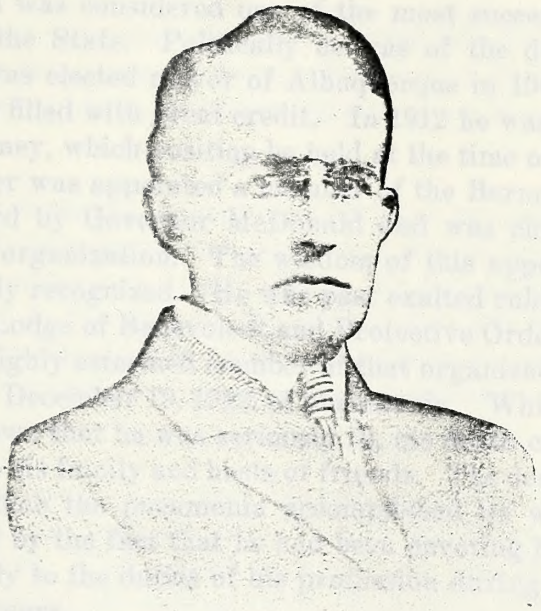
Mr. Bryan was of Irish descent, his great-grandfather, George Bryan, having emigrated to the United States before the American Revolution. This ancestor was a member of the Constitutional Convention and for several years served as judge of the supreme court of Pennsylvania. Mr. Bryan's father was a minister of the Presbyterian church, in which Mr. Byran, himself, was very prominent, having been a delegate from the Rio Grande Presbytery to the General Assembly at Washington in 1893 and an elder in the church at Albuquerque.

Had Mr. Bryan lived he would have been one of the delegates from New Mexico to the fourth annual peace conference at Washington, D. C., having been appointed by Governor W. C. McDonald. He was a life member of the New Mexico Historical Society, and very active in the work of the organization.

The *Herald,* of Albuquerque, in an editorial upon Mr. Bryan said:

"Mr. Bryan died February 10, 1913, at St. Joseph's hospital, as the result of an operation, from the effects of which he was unable to rally. His last words, spoken to Rev. Hugh A. Cooper, were 'I want to assure you that I have no apprehension of the future.' Besides his widow, three sons survive: Hugh, a Rhodes scholar at Oxford; Kirk, a graduate of Yale; and George, the youngest, 14 years of age, who lives with his mother in Albuquerque.

"The funeral services were very impressive. The Elks, members of the local bar association, and the faculty of the State University attended the funeral in a body. The remains were interred in Fairview cemetery."



FELIX H. LESTER



FELIX H. LESTER was born September 25, 1872, at Pulaski, Tennessee, and was graduated from Princeton University in the class of 1893. He came to Albuquerque, New Mexico, in 1894, was admitted to the practice the following year, and associated himself with Neill B. Field, the most prominent member of the bar of that city. Mr. Lester began the practice of his profession independently two years later, rising rapidly, and at the time of his death was considered one of the most successful practitioners in the State. Politically he was of the democratic faith; he was elected mayor of Albuquerque in 1908, a position which he filled with great credit. In 1912 he was appointed city attorney, which position he held at the time of his death. Mr. Lester was appointed a member of the Bernalillo county road board by Governor McDonald and was chosen chairman of that organization. The wisdom of this appointment was generally recognized. He was past exalted ruler of the Albuquerque Lodge of Benevolent and Protective Order of Elks and a most highly esteemed member of that organization.

Mr. Lester died December 19, 1912, of pneumonia. While it was generally known that he was seriously ill, his death came as a great shock to his family and hosts of friends. The deadly quickness with which the pneumonia accomplished its work was accounted for by the fact that he had been devoting himself too assiduously to the duties of his profession during the past two or three years.

Mr. Lester is survived by his wife, formerly Miss Marion Merritt, daughter of Mrs. W. P. Metcalf, whose marriage to Mr. Lester occurred on February 10, 1898, and one daughter, Miss Lorna Lester, fourteen years of age.

Mr. Lester was a man of great promise; charitable in opinion and in deeds. In his death the State suffered a great loss.

REPORT OF THE HISTORICAL SOCIETY OF NEW MEXICO

THIS *Report* embraces a period somewhat less than a year, the last report being brought down to February 1, 1912, on account of the meeting of the first state legislature on March 11.

OBITUARY

But one death has occurred among those specially identified with the Society during the year, being that of Solomon Luna, who died suddenly in August, 1912. Mr. Luna always showed an interest in the work of the Society and was one of those whose liberality made it possible to acquire an important collection of the archives of the northern jurisdiction, in 1907.

HONORARY MEMBERSHIP

Only one honorary member has been elected during the year, as it has always been our policy to keep this honor at the highest standard. The person thus selected was Mrs. Matilda Coxe Stevenson, the distinguished ethnologist, whose devotion to science found a fitting monument in the entire twenty-third volume of the *Reports of the Bureau of Ethnology*, and who is still making New Mexico the scene of her remarkable researches.

PUBLICATIONS

The only publication issued during the year has been the *Official Report of the Historical Society, 1909 to 1912*, published last spring; being No. 17 of our series.

We have on hand the manuscript for several publications, including three of the addresses made at the public meetings held in May last, but lack of funds has delayed their publication. This is unfortunate, as we ought to issue at least two

each year, to be sent to institutions which exchange with us; and we hope that we will soon be enabled to resume regularity of publication.

NEWSPAPER FILES

During the year the following newspapers have been regularly received:

DAILIES

New Mexican	Santa Fe
Daily Optic	Las Vegas
Evening Herald	Albuquerque
Journal	Albuquerque

WEEKLIES

Colfax County Stockman	Springer
News-Herald	Estancia
Western Liberal	Lordsburg
Standard	San Marcial
Tribune	Belen
Gazette	Questa
Revista Catolica	Las Vegas
El Nuevo Estado	Tierra Amarilla
Rocky Mountain Herald	Denver

There are no files of New Mexican papers available for use, anywhere in the state, except in the historical rooms, and they are constantly being consulted. Unfortunately we have not been able to have more than a few of them bound. This is one of the most pressing requirements of the Society, in order that these original sources of information may be available to the inquirer.

Whatever else the legislature may or may not do, it should certainly appropriate a sufficient sum for their binding. Many of these files run back for twenty or twenty-five years, and a few for a longer period. They are not only of great value historically, but they are often consulted for proof in legal matters. There is no place, at present, where they can be kept, for convenient use, and we hope that the legislature will soon provide proper accommodations for their safety and utility.

GIFTS

The Society has received the usual gifts of books, pamphlets, and documents, from scientific, literary, and historical institutions all over the country, and to a less extent from Europe and Latin America; for all of which it is duly grateful, and regrets exceedingly that the failure of the Senate to make an appropriation has prevented the publication of the bulletins, with which we endeavor to reciprocate and show our appreciation.

Among the gifts from individuals, which are usually of a very varied character, the following may be mentioned on account of their especial value and interest:

Governor Mills and Miss Madeline Mills, the first flag with forty-eight stars, hoisted over the New Mexico capitol, August 21, 1911.

Col. R. E. Twitchell, fifty large portraits of distinguished New Mexicans.

Hon. Frank Staplin, complete volume of the *Revista de Taos,* extending from March, 1912, to March, 1913.

George Riddle, photograph of his father, who came to Santa Fe in 1843.

Among other local benefactors may be mentioned Hon. H. J. Hagerman, Hon. B. M. Read, Brother David, Senator Catron, Senator Fall, Hon. H. B. Fergusson, etc.

THE YEAR'S WORK

The attention of the Society during much of the year has been diverted from its regular work by the necessity of defending its interests in the legislature and by the changes made in its rooms.

The message of the governor to the legislature, delivered March 12, 1912, contained unfriendly expressions which were a great surprise, but which foreshadowed an attempt to interfere with our quiet occupancy of the portion of the palace so long the home of the Society, and with the appropriations which had for years been made by the legislature towards keeping the rooms open to the public every day, properly

heated and lighted, and the acquisition of articles of historical interest.

During the session of the legislature a number of bills were introduced relative to the use of the palace and the work of the Society, and several hearings were had thereon. Among these were house bills 195, 196, 230, and 231, and senate bill 156.

Late in the session the house committee on finance and so-called "Steering Committee" reported house substitute for house bills 195, 196, 230, and 231, which was in the nature of a compromise measure, and amended chapter 4 of the *Laws of 1909*. This bill passed the house by a vote practically unanimous, and was sent to the senate, but was not acted upon there.

The appropriation bill, drawn by the house committee, contained the usual appropriation to the Society of $500 for maintenance, and $500 for the acquisition of historical articles and books, but the senate bill contained no appropriation, and in the final action on the report of a conference committee, this item was omitted either intentionally or by accident. The result was that no appropriation whatever for the Society was made by the legislature.

In the general appropriation bill (Chap. 83, *Laws of 1912*) an item was passed appropriating "For repairing and restoring eastern portion of Old Palace building and improving interior thereof, $5000." No provision was made in the law as to the method of expending this sum, but under the general provision in chapter 4 of the *Laws of 1909* that the palace be placed under the control of the board of regents of the museum, that board assumed charge of the work for which the appropriation was made.

The house substitute, which passed the house but not the senate, provided that "in any re-arrangement of interior walls in the western portion of the building any change made shall require the approval of the School of Archæology or Archæological Society, and in the eastern portion of the building, the approval of the Historical Society," but that bill having failed to become a law, no such approval was necessary.

Early in August the authorities of the museum commenced alterations in the historical rooms, beginning in the westerly rooms and proceeding to easterly ones, which are not yet completed. The exhibits in the westerly rooms were at first stored in the central room and hallway, and afterwards in the easterly rooms, but as the changes were not sufficiently completed in the west rooms to permit the return of the exhibits belonging there before the work began in the east ones, very many exhibits had to be stored in rooms north of the Placita, where they still remain; and the entire mineral exhibit is still unhoused in the Placita itself.

As a number of the collections of stone objects and pottery, including many hundred specimens, had to be removed three times and piled in very small areas, it is feared that considerable confusion will occur in identifying the specimens, (in fact some have already been found to be hopelessly intermixed); but our Society is doing all that it can to preserve and protect them.

The changes made in the building and in the shelving, where shelving has already been furnished, have very considerably reduced the available space for exhibits, the reduction being from a quarter to a third in the different rooms; and as even before the changes we were unable to exhibit all of our collections for lack of room, the question of sufficient exhibition space becomes a very serious one.

It is due to our Society to say that several of the alterations made in the walls of the Historical Society's portion of the building, were not only made without the approval of the officers of our Society, but against their very earnest and repeated protests. The palace is the most important historical structure in New Mexico, and we felt it a duty to protest against radical changes of its important and interesting historic features.

The long period involved in the changes in our rooms in the palace has necessarily impeded and about stopped our work. We have made but little effort to acquire additional historical

material, when there was no place in which it could be stored, far less exhibited. But we hope that the alterations will soon be so far completed that we can continue in our legitimate work.

The care and protection of our rooms and their contents through the entire days, (instead of exhibition hours), during the continuance of this work, has necessarily entailed considerable expense, and the re-placement of exhibits cannot be accomplished without additional cost.

PUBLIC MEETINGS

During the session of the legislature, two public meetings were held in the hall of representatives, through the courtesy of the house in permitting the use of their chamber.

These were on successive evenings, May 27 and 28, and were largely attended by interested audiences. At the first of these the following addresses were delivered:

1. By the president, "The Society and Its Work."
2. R. W. D. Bryan, president of regents of university, "The Historical Society, the Preserver of Landmarks."
3. Mrs. Matilda Coxe Stevenson, of bureau of ethnology, "The Zuñi Indians."
4. Hon. Antonio Lucero, secretary of state, address in Spanish.

At the second meeting, the following was the programme:

1. By the president, address: "Importance of Our Historical Work."
2. Hon. B. M. Read, "Inconsistencies of History," illustrated with rare books.
3. Hon. Antonio De Vargas, "The Glories of the Spanish Era."
4. Prof. Norton, "New Zealand and the Pacific Islands."

The manuscripts of three of the addresses have been kindly furnished by the authors, on request for publication, but the stoppage of the state appropriation has delayed their printing.

OUR NEED OF SPACE

The needs of the Society for the proper classification and arrangement of its collections have been set forth quite fully in previous reports and particularly in the last two. The present accommodations are entirely inadequate. There are five rooms, besides the hallway and the remains of the old Spanish prison, which may be called an alcove. If we devote the southwest rooms to the three named collections, the Cole collection, the Heister collection and the Hadley memorial, concentrate the library in the northwest room which was the former home of part of it and use the central room for the collection of objects of stone and pottery of both old and present pueblos, it leaves only the two easterly rooms for every thing else. The extensive and important industrial and other exhibits representing the Spanish and Mexican eras will fully occupy the northeast room, and in the southeast room, with the office, can be placed our portraits and other paintings, the statehood collection of relics, and the miscellaneous objects which are of special interest to the general public.

This leaves the extensive mineral collection, which heretofore filled the entire northeast room, the entire collection of manuscripts and printed historic documents, autographs and maps, many antiques of stone and pottery which can not be accommodated in the central room, specimens and relics connected with modern Indian life and the present American era, the entire set of newspaper files, bound and unbound, and many miscellaneous articles, without any abiding place. Within the palace walls we have not a foot of space for storing articles before they are arranged for exhibition, nor for duplicates that are valuable in securing exchanges, nor for the reparation of broken pottery and other articles, nor even for the safe keeping of brooms and other utensils necessarily used.

We need new rooms to be erected on Washington avenue, as a kind of wing to the palace, such as exist at the west end of the building, but we especially need the immediate use of the

old buildings in the rear of the palace grounds in order at least to protect valuable exhibits until they can be better accommodated. By extending our westerly line directly back through the placita to the north boundary of the palace property, this necessary relief will be afforded, a fairly equal division will be made between our old Society and her young sister, and each can pursue its laudable object in a satisfactory and harmonious manner.

APPEAL FOR CO-OPERATION

While we do not believe that the legislature intends to make no provision for keeping the easterly half of the palace open to the public, and for giving such assistance in the purchase of objects, documents, and manuscripts connected with our history, as will prevent their permanent loss to New Mexico, yet in August last our board determined to prepare a circular appeal for the coöperation of the general public with the Society by a large increase in its membership, and such a paper is now being circulated throughout the state with good results.

The Society has always exercised rigid economy, and the work which might have been expensive has always been a "labor of love," so that we find that $500 a year will cover all cost of maintenance; and an additional $500, to be expended in the purchase of historic objects, will prevent the most valuable and interesting of our antiquities from being carried away by eager collectors to grace the museums of Europe or the East.

Of course, unusual items of expense, like the erection of shelving and cases, the binding of newspapers, etc., have to be met by special appropriations, and a much larger sum than that stated could be profitably expended for rare objects and books of high value, if it was available.

L. Bradford Prince, President — Ernest A. Johnson, Corresponding Secretary

William M. Berger, Recording Secretary — Mary M. Victory, Assistant Recording Secretary

MUSEUM OF NEW MEXICO

To the Governor of New Mexico:

DEAR SIR:

The museum of New Mexico has been conducted during the past three years under the direction of the School of American Archæology in conformity to the act of the legislature entitled "An Act to Establish a Museum for the Territory of New Mexico, and for other purposes."

The following summary is quoted from previous reports:

RESTORATION AND REPAIR OF THE OLD PALACE

"The first work of the Board of Regents was to begin the repair and preservation of the Old Palace of the Governors, which under the stipulations of the legislative act, was put under its custody and made the home of the Museum and School of American Archæology, to be preserved forever as a monument to the Spanish founders of the civilization of the Southwest. Funds for the restoration of the building were provided in part from territorial appropriations and in part by public-spirited citizens of New Mexico. The palace had reached a deplorable state of dilapidation. Twenty-six hundred loads of debris were removed from the placita, which in places was filled up to the level of the windows. Three hundred loads of earth were taken from above the ceilings to remove the pressure upon the walls. Thirteen thousand pounds of lime were used for filling cesspools and insuring sanitary conditions. The stables and abandoned rooms back of the placita were renovated and reconstructed into work rooms, laboratories and store rooms. Damaged walls in the main building were strengthened, and where hopelessly deteriorated, were taken down and relaid in solid stone and cement foundations, pre-

serving the original dimensions. In some instances walls were found almost ready to fall and vigas or ceiling beams rotted away, placing the rooms in a dangerous condition. Such were completely rebuilt in conformity to the general type.

"The modern woodwork was removed from doors, windows and fireplaces and these interesting architectural features were restored in ancient style. The modern plastering and papering of the walls were replaced by cement work of the most durable character simulating the original finish of the rooms as far as is consistent with the preservation of the building and the purpose to which it is now devoted. The modern cloth and wall-paper ceilings were removed, laying bare the ancient vigas (ceiling beams) and hand-chopped slabs of centuries ago. The rooms thus repaired must present much of the appearance which they had before the modernizing of the past half century was done.

"The part of the building which has been turned over for the use of the Museum of New Mexico, has been thus put in repair and now affords office facilities for the school and museum, a number of exhibition halls, a library and lecture room, and the necessary laboratory and storage rooms for carrying on research work. The museum is visited by a large number of travelers, in addition to the constant attendance by people of the state; and artists, scientists, historians and travelers have spoken in highest approval of the spirit in which all the alterations of the building have been made, and the plan upon which the museum is being developed.

"Everything possible has been done to insure the safety of the building and collections housed therein. With the $3,000 appropriation for the purpose by the territory, a model system of heating, lighting and plumbing has been installed. The plant is apart from the main building and the electric light wires are laid in lead conduits. The walls are not combustible so that danger from fire has been reduced to the minimum. The portal, a structure of the last half century and entirely out of harmony with the architecture of the palace, is dilapidated. It should be replaced with one of original Spanish character,

the style of which is well known to us from the remains found in the building itself, from the testimony of old residents and the archaic examples still to be seen in Santa Fe and throughout New Mexico.

SCOPE OF THE MUSEUM

"It is intended to make the museum of New Mexico display the history of the southwest for the past thousand years. No other part of the United States is so rich in archæological remains, and its history is full of dramatic interest. It is the function of the museum to preserve all that is best in New Mexico's historic past. The historic and archæological treasures of our state must be gathered now if they are to be saved for our own people. Every year collections are being purchased or dug up from our soil and carried away, treasures which our sense of patriotism cannot permit our state to lose.

"The museum is securing by excavation, material from the ancient pueblo and cliff dwelling ruins and will purchase for the state as funds are provided therefor, collections of ethnological and historical material, showing the culture of the Indians of the southwest and the early Spanish civilization. The archæology, ethnology and history of the southwest must be treated as one subject, and a succession of exhibits arranged to display the entire history of the state.

"Not the least of the functions of the museum of New Mexico will be to assist in the preservation of our ancient ruins. These have been wasted by vandalism and are being destroyed through the progress of agriculture. Steps have already been taken to insure the preservation of the old Mission churches. While the California missions have been so widely exploited for many years, it is not generally known that those of New Mexico are a century and a half older and of greater historical interest. The history of the mission churches is the history of the heroic age of New Mexico, and every surviving building of the mission period should be sacredly protected. It is hoped that the museum will be able to undertake the custodianship of such of the old ruined missions as are placed in its care, as well

as of the ancient pueblo and cliff dwelling ruins of the state that are not cared for by the government."

RELATIONS WITH THE SCHOOL OF AMERICAN ARCHAEOLOGY

"The relations between the Museum and the School of American Archæology have been fixed as contemplated by the act of the legislature. The institution established here by the Archæological Institute of America, is a school of research, and from its activities in the southwest and over the American continent, the museum of New Mexico is a large beneficiary. Particulars concerning the wider activities of the school are published in the annual report of the director, who is *ex officio* director of the museum. These reports are published by the Archæological Institute of America, and have a wide circulation. There are also published the 'Papers of the School of American Archæology,' which set forth in attractive form the results of excavations and studies by members of the staff. These papers are disseminating throughout the world a wide knowledge of the antiquities of New Mexico, which are found to rival those of the Old World as attractions for students of art and science. This great stimulation of interest in the Southwest is especially noticeable in the articles by eminent literary and scientific writers that have appeared in leading magazines of the country, in which the work of the school and museum has been made prominent. It has brought to us as lecturers, eminent scholars who have presented to large audiences the results of the latest researches in foreign lands. The summer session of the school, which is held annually, in part at the museum and in part at the excavating camp among the cliff dwellings, is attracting numerous students and auditors. In short, many advantages of a high class university are open to our people as a result of this establishment."

REPORT FOR THE FISCAL YEAR 1911-1912

The $5,000 appropriated by the legislature last year was devoted to the repair of the east end of the building. This part had in places reached an advanced state of dilapidation. Walls

that were hopelessly deteriorated were taken down and relaid with stone and concrete foundations, preserving the original dimensions.

The dismantling of the walls revealed great masses which antedate the Spanish construction, proving that the palace was built upon an ancient Indian ruin. Portions of these walls are now covered with glass and preserved in view.

The modern timbers supporting the roof were removed and vigas of ancient style were substituted.

The museum, together with the Old Palace, will display the history of the southwest for many centuries past. The collections already exceed the capacity of the rooms. Another building of equal size would be needed to hold the material that should be gathered in the next few years.

When fully restored the palace will stand as the noblest specimen of early Spanish architecture on American soil. From Oñate (1605), to McDonald (1912), it has dominated the historic plaza, surviving the siege of 1680, during which time it sheltered and saved from extinction the entire population of Santa Fe and the surrounding country. It is the last of the buildings that originally surrounded the plaza, and, with the exception of portions of certain structures in the ecclesiastical quarter, it is the last important remnant of the seventeenth century in Santa Fe. The Old Palace is a heritage that is beyond price, a monument such as no other state in the union can boast of, and its repair and restoration is an imperative duty.

SUMMARY

The museum of New Mexico has in the short space of three years become one of the most effective and best known in the United States. The reasons for this are briefly as follows:

1. It has occupied the historic palace of the governors; rescued it from dilapidation; put it in order as a worthy monument of Spanish-American civilization; by judicious repair provided for its perpetual preservation as one of the noblest historic landmarks in America, and devoted it to the conservation and exhibition of the historic and pre-historic treasures of New Mexico.

2. It has devoted itself systematically to exploiting the ancient cliff dwellings, mission ruins, and historic landmarks of New Mexico, making them known to the traveling public and thus placing them among New Mexico's most valuable assets.

3. It has scientifically excavated the ancient ruins and made authentic collections from them, which, now valuable, in a short time become priceless. It is the genuineness and known source of these specimens which make them of such great interest and value.

4. It is connected with a great national organization, the Archæological Institute of America, having forty-five branches in the cities of the United States and Canada, and thus receives all the publicity of its publications and lectures all over America, as well as in foreign countries.

5. It is the seat of the School of American Archæology, which is one of the schools of the above mentioned institute, which turns over to the museum the results of its excavations; which brings many noted scholars to New Mexico every year, who go away to advertise the state's unique museum, its historic capital, its climate and attractions in newspaper and magazine articles and illustrated lectures.

6. Through the School of Archæology, it has affiliations with the Smithsonian Institution, the United States National Museum and many others throughout the United States, which send much valuable material to this museum by way of exchange and which have even sent back to New Mexico, now that it has a reputable museum, valuable collections that were taken away from here years ago.

RECOMMENDATIONS

At the annual meeting of the board of regents, plans were presented and approved for the extension of the building. This can be done by building exhibition halls across the long placita back of the main building.

The imperative needs of the museum now are:

1. An appropriation of $5,000 per year for the proper maintenance and development of the museum. The whole building must be kept in repair, properly heated, lighted, and insured,

furnished with adequate janitor and engineer service. The collections must be kept in order, properly labelled and catalogued. There is a very large and ever-increasing correspondence to be attended to, also bookkeeping and clerical work. All this necessitates capable employes. The light wiring is incomplete and should be finished at once. A large number of cases are needed for the installation of specimens, especially in the east end of the building. The excavation and purchase of collections of rare objects that otherwise will be lost to the state should go on before it is too late. Eastern museums realize the rapidly increasing value of these things and are getting them away from New Mexico every year. There should be a fund for publishing reports, and there are always contingent expenses to be met, such as postage, freight and express. The present revenue does not provide the actual running expenses necessary to keep up the museum properly, much less to provide for future development.

2. As soon as the legislature can see its way to provide the funds therefor, there should be an appropriation made for removing the unsightly and dilapidated porch, and replacing the same with one of old Spanish style, and for going over all the exterior walls with a new coat of pebbledash. The preservation of the building urgently requires it.

JOHN R. MCFIE
President of the Board of Regents
EDGAR L. HEWETT
January 14, 1913 Director

MUSEUM OF NEW MEXICO FINANCE REPORT

November 30, 1911, to November 30, 1912

RECEIPTS

Balance on hand Dec. 1, 1911	$ 600.34
State Funds	3,903.99*
Historical Society Fuel Account	75.00
Loans from First National and U. S. Bank & Trust Co.	1,750.00
Overdrafts	13.55
Total	$6,342.88

DISBURSEMENTS

Repair and Building	$ 673.50	
Notes Paid	2,500.00	
Furniture and Fixtures	126.45	
Interest	91.58	
Office Supplies and Expenses	262.23	
Photographic Supplies	7.45	
Salary	2,063.43	
Sundries	39.34	
Water, Light and Fuel	539.75	
Cash on hand Nov. 30, 1912	39.15	
Total		$6,342.88

N. B. LAUGHLIN
Secretary-Treasurer

• $1,096.01 accounted for, fiscal year ending November 30, 1911.

REPORT OF THE DIRECTOR, 1912

GENTLEMEN: I beg to submit the following report of the activities of the school for the year 1912:

I. FIELD WORK

1. *The Excavations at Quirigua*

The third expedition to Quirigua took the field early in January, 1912. Mr. Sylvanus G. Morley served, as heretofore, as first assistant. Mr. Earl Morris, a student of the school, assisted with the excavations during the entire season, and Mr. Gerard Fowke, detailed by the Missouri Historical Society, spent several weeks with the expedition. Mrs. Wilmatte P. Cockerell, of Boulder, Colorado, joined the party in February. The excavations continued until the first part of May. The work consisted of (1) the excavation of temples 1 and 2, on the south side of the temple court, (2) the excavation by Mr. Fowke of a number of mounds on the bench lands west of the main ruins, and (3) a study of the natural history of the Motagua valley by Mrs. Cockerell. A preliminary report of the season's work, carried on with funds contributed by members of the Saint Louis Society and by the United Fruit Company, was published in the June number of the *Bulletin* of the Institute. Following is a summary of results up to the present time.

A. *During previous expeditions*

1. The segregation of the Quirigua ruins in a park devoted to their protection, with a setting of the native jungle around them, in which the original tropical environment will be preserved.

2. The preservation of the monuments from future demolition by the removal of the heavy forest trees from about them.

3. The classification of the monuments in chronological se-

quence by the corroborative evidence of art and inscriptions.

4. The recognition of numerous points of resemblance in the ceremonial arrangements, insignia and vesture of figures sculptured on the monuments at Quirigua, to what may still be seen in the ceremonials of North American Indians, particularly of the Pueblos.

B. *During the campaign of 1912*

1. A considerable advance in the preservation of the ruins and monuments with provision for their future protection.

2. The uncovering of two important buildings heretofore unknown in the ceremonial precinct.

3. The finding of the sloping upper zone of the façade in southern Maya architecture.

4. The establishment of the chronological sequence of the temples in relation to the other monuments.

5. The discovery of a new initial series and its restoration and reading.

6. The determination of the place and mode of life of the ancient population by the excavation of the house mounds.

7. The relation of the ancient to the modern inhabitants of the Motagua valley.

8. The location of the ancient quarries from which the material for monuments and buildings was derived.

9. The discovery of the method of stone transportation.

10. The acquisition of new material illustrating stone and ceramic arts.

11. Considerable advance in knowledge of the natural history of the Motagua valley.

During the season the work was visited by Mr. Minor C. Keith, vice-president and general manager of the United Fruit Company, and by Mr. J. M. Wulfing, treasurer of the St. Louis Society. The protection of the ruins has been assured by the United Fruit Company. The site will be fenced and a custodian placed in charge.

2. *Activities in the Rio Grande drainage*

The field work in New Mexico began with the usual season in the canyon of El Rito de los Frijoles during the session of

the summer school. The uncovering of the great community house of Tyuonyi was almost finished. This work served as a basis for field lectures and for observation and practice by students. An expedition to the Jemez district in coöperation with the Toronto Society of the Institute and the Southwest Museum occupied the months of September and October. For the greater part of the season Dr. Charles F. Lummis of the Southwest Museum assumed the direction of the operations in the field, being assisted throughout by Mr. T. Harmon Parkhurst and Mr. Wesley Bradfield.

This marks the beginning of active participation in work of research by one of the Canadian societies of the Institute. It has resulted in a substantial acquisition of material for the Royal Ontario Museum with considerable additions to the valuable collections from the Southwest already in the museum at Los Angeles.

As a part of the scientific work undertaken for the Panama-California Exposition, at San Diego, Mr. Wesley Bradfield was engaged for several months in systematic collecting in the Keresan towns in New Mexico. Mr. Thomas S. Dozier performed similar service in the Tewa villages. Valuable collections have been made and information gathered for use in the development of the Pueblo exhibits. In this connection Mr. Carlos Vierra has visited all the Rio Grande pueblos, making sketches, photographs, and architectural studies.

3. *The excavations in the San Juan drainage*

Professor Byron Cummings continued his work in southern Utah and northern Arizona. This undertaking, financed mainly by members of the Utah Society, has now continued for five seasons and has yielded very satisfactory results, particularly in cliff dwelling collections, which are now to be seen in the museum of the University of Utah.

4. *Researches in Southern California*

Mr. John P. Harrington spent the greater part of the year in the field in western Arizona and southern California. His work was done as a part of the scientific work for the Panama-California Exposition. The result is epoch-making in our

knowledge of Yuman and the Chumashan tribes. Much detailed information was obtained about the Mathakapi, Kaveikapai, Maricopa, Kwichana, Kosuena, Jalchadoma, Jenequicha, Cocopa, Akwala, Ajuata, Yakwiliwa, Quigyuma, Yakwavira, etc. Several of these tribes have been hitherto unknown as regards both dialect and culture.

In connection with this work, all published accounts of the history and ethnology of southern California have been studied and each item of information catalogued and taken into the field as a basis for questions. Important collections have been made and plans prepared for an extensive exhibit of the culture of both existing and extinct tribes at the exposition.

Mr. Harrington has been assisted in the field by Mr. T. Harmon Parkhurst and in working over the voluminous notes by Miss Laura W. Wood.

II. The Summer School

The usual summer session was held during the month of August. Lectures were given during the first two weeks at the museum with field excursions for the study of the history and archæology of Santa Fe and vicinity. The work of native Indian potters in the Placita demonstrating the aboriginal methods in ceramic art was an interesting feature. The special train to Santo Domingo on August 4 carried about three hundred to witness the green corn dance.

During the two weeks' encampment at the Rito the excavation of the ancient community house was witnessed and this was supplemented by lectures and excursions to interesting points.

At the summer session this year the following courses of lectures were presented:

1. "Heredity and Evolution" by Professor T. D. A. Cockerell.
2. "Roman Archæology and Art" by Dr. Harry L. Wilson.
3. "Historic Epochs in Art" by Dr. Hector Alliot.
4. "Greek Archæology and Art" by Dr. Mitchell Carroll.
5. "Shamanism, Folk Lore and Humanization" by Dr. Charles F. Lummis.

6. "The Mayas" by Mr. Sylvanus G. Morley.
7. "The Indians of the Southwest" by Mr. T. Harmon Parkhurst.
8. "The Monuments of the Aztecs" and "The Ancient Pueblos and Cliff Dwellers" by Director Edgar L. Hewett.

The following Sunday night lectures were given at the Hall of Representatives, Capitol building, Santa Fe:

"Art and Religion of the Ancient Etruscans" by Dr. Harry L. Wilson.
"The Homeric Bible" by Dr. Mitchell Carroll.
"The Mecca of the Maya World" by Mr. Sylvanus G. Morley.
"The Uncovering of an Ancient Temple in the Tropics" by Director Hewett.

The annual meetings of the managing committee of the school and board of regents of the museum were held during the session, the greater part of one week being devoted to official meetings, the discussion of the scientific and educational work of the school, the inspection of the museum and excavations, and the consideration of future work.

III. Museum Work

In addition to the sum provided by law for the maintenance of the museum, the legislature of New Mexico appropriated $5,000 to be expended on further restoration and repair of the palace. With this sum, the entire east end of the building has been put in order. This part had in some places reached an advanced state of dilapidation. Walls that were hopelessly deteriorated were taken down and relaid with stone and concrete foundations, preserving the original dimensions. Where the ancient vigas, or ceiling beams, had been removed and replaced by modern timbers they were restored in conformity to the original. All modern woodwork was removed from doors, windows, and fireplaces and these features restored in ancient style. The rooms thus repaired must present much of the appearance which they had before the modernizing of the past half century.

The repair and restoration of this venerable building has been a task of great responsibility, and one that has claimed the interest of students of Spanish-American history and art throughout the country. There is no other example of early

Spanish architecture equal to it in the United States. From the time of Oñate (1605) to the present it has dominated the historic Plaza, surviving the siege of 1680, during which time it sheltered and saved from extinction the entire population of Santa Fe and the surrounding country. It is the last of the buildings that originally faced the Plaza and it is the most important monument of seventeenth century Santa Fe.

The dismantling of the massive wall which forms the central axis of the building discloses the fact that large portions antedate the Spanish construction by probably hundreds of years. Huge masses of the ancient Indian pueblo, upon the ruins of which the palace was constructed, were discovered. Some of these have been covered with glass and are now preserved in view and in original place. These walls, made of puddled adobe, were constructed in almost the identical manner of the concrete walls of the present day. The part laid bare formed the interior of a room used for ceremonial purposes. It contains the niche for the sacred meal bowl, invariably found in ancient pueblo houses, and also the recess in which some household fetish stood.

During the excavations for foundations numerous relics have been uncovered. The ceramic remains conform almost exactly to those found in the cliff dwellings of Pajarito plateau. Numerous skeletons have been found under the floors which, together with those that are being preserved from other sites within the city limits, will doubtless throw light upon the ancient people that inhabited the Santa Fe valley.

It will soon be possible to prepare a monograph on the history and archæology of the Palace of the Governors. New records have been found during the past year throwing light upon its early history, and the dismantling made necessary by the repairs of the past three years has laid bare many features of interest which had been completely lost sight of. The work of reconstruction has been carried out with fidelity to both history and architecture by Mr. Jesse L. Nusbaum.

The museum, together with the Old Palace in which it is installed, will display the history of the Southwest for many

centuries past. Material is rapidly being accumulated from the ancient pueblo and cliff dwelling ruins, and this is augmented as time goes on with ethnological and historical data showing the culture of the Indians of the Southwest and also the early Spanish civilization. The collections made by the school are supplemented by those of the New Mexico Historical Society which are installed in the eastern part of the palace. The archæology, ethnology, and history of the Southwest are treated as one subject, and a succession of exhibits are arranged to display the entire culture history of the region.

The museum is the laboratory of the School of Archæology, which turns over to it all the collections resulting from its excavations and exchanges. These already exceed the capacity of the rooms that can be devoted to museum purposes. In fact, another building of equal size would be needed to accommodate the material which could be obtained within the next few years. Everything is gathered at first hand. The provenance of every specimen displayed can be authentically shown, and no mere curios are exhibited.

It is intended that each culture displayed in the museum shall be illustrated by (1) paintings, especially mural decorations, which serve to bring before one the clearest possible conception of the environment in which the culture arose and flourished; (2) photographs, sketches, and models, showing the present condition of the ancient ruins and methods of excavating them; and (3) collections of specimens in cases, designed to show phases of the industrial, social, and religious life of the people.

At the annual meeting of the board of regents plans were presented and approved looking toward the extension of the museum. This will be accomplished by means of a series of five exhibition halls which will gridiron the long Placita at the back of the main building. These will be supplemented by a structure occupying the entire north side of the palace grounds which will be devoted to laboratories and the offices of employees.

IV. Educational Work

During the past summer the extension work of the school was expanded by participation in summer courses devoted to archæology in Colorado Springs, San Diego, and Los Angeles.

Illustrated lectures prepared by the school are now in circulation in a number of states. These are handled by the local secretaries of the Institute. A small and not entirely satisfactory beginning was made with this last year. The school is now making its own slides. It has an adequate office force, so that the work can be carried on effectively and extended to meet the demands of local societies of the Institute in any part of the country. The school was enabled to inaugurate this lecture system through the generosity of a member of its managing committee, Dr. R. W. Corwin of Pueblo. The lectures now in circulation are on the following subjects:

"The Siberian Origin of the Indians."
"The Ancient Ruins of the Southwest."
"The Mayas the Greeks of the New World."
"The Indians of the Southwest."
"Uncovering a Buried City in the Tropics."

These lectures will be provided for the use of societies of the Institute at the actual cost of preparing the slides.

Arrangements are being made for the circulation of portfolios of artistic photographs with descriptive manuals, devoted to American archæology, ethnology, history, and art, for exhibition in schools and museums. It is hoped that by another year arrangements can be made to supply elementary schools with material, drawings, specimens, etc., that will enable teachers to introduce the work and methods of primitive man into the public schools as an adjunct of vocational education. Work in primitive arts and industries such as pottery making, tool making, blanket and basket weaving and metal work, carried on by the Indians themselves, will hereafter be a prominent feature of the summer school work.

IV. Educational Work

V. Library

Accessions to the library have been small during the past year. It is greatly in need of additions in history, ethnology, and archæology. It has unusual facilities for work in linguistics, and the Mexican and Central America languages are well represented by early manuscripts and rare printed works.

VI. Art

The work of the school in art has claimed the interest of the public to an exceptional degree, and it has been the recipient of favorable attention from a number of artists of note. Several loan collections have been contributed and exhibited. The museum gratefully acknowledges valuable loans and gifts from Messrs. Sharp, Philips, Cassidy, and Vierra, painters who are devoting much time to the art of the Southwest.

VII. Preservation of Antiquities

An important function of the school has come to be the preservation of antiquities in the Southwest. Most noteworthy has been the preservation of the Old Palace of the Governors in which the school is located. The ruins in the Rito de los Frijoles and at Puyé have been to a great extent excavated and partially repaired. Through an arrangement between Mr. Harry Kelly of Las Vegas, New Mexico, and Colonel D. C. Collier of San Diego, the ruins of the old Pecos pueblo and mission have been transferred to the school for custody and preservation, the latter having provided a sum for the repair of the church, which is one of the two oldest in the United States. The missions of New Mexico are more than a century and a half older than those of California. Their history is the history of the Heroic age of the Southwest, and every surviving building of that period should be held sacred. It is hoped that the school with the assistance of the museum of New Mexico may be enabled to assume the custodianship of all of the ruined missions as well as of such ancient pueblos and cliff dwellings in the State as are not cared for by the government.

VIII. Civic Work

A considerable amount of civic work, particularly in connection with the preservation of the archaic features of Santa Fe, has fallen to the school. In collaboration with the Santa Fe Chamber of Commerce and the City Planning Board much interest has been aroused and considerable progress made in directing the future development of the State Capitol along the ancient lines in which it stands unique. An exhibition prepared largely by Mr. Morley, under the auspices of the organizations above named, will be opened to the public on November 18. It embraces models of early public buildings which have wholly or in part disappeared; maps, charts, and paintings designed to aid in the development of city parks and drives; the improvement of the river front, and the preservation of ancient streets and buildings.

The school has been able in some measure to influence the architecture of public buildings. Among those which illustrate styles that it is hoped will dominate the city in the future are the Palace of the Governors, the Scottish Rite Cathedral, the DeVargas Hotel, the power plant and office buildings of the Santa Fe Water and Light Company, and the Ice and Storage Plant of Messrs. Collier and Owen.

The school has been requested by the City Planning Board to undertake a complete revision of the street names of Santa Fe, and this has been done in conformity with the historic growth of the city. A contribution from Colonel D. C. Collier of the managing committee has provided for the marking of the streets according to the revised system and the plan now awaits the approval of the city council.

IX. Exposition Work

By agreement between the managing committee of the Panama-California Exposition at San Diego, the director of the School of American Archæology has been designated to direct the exhibits in ethnology and archæology at the Exposition. The arrangement seems to be mutually advantageous. This

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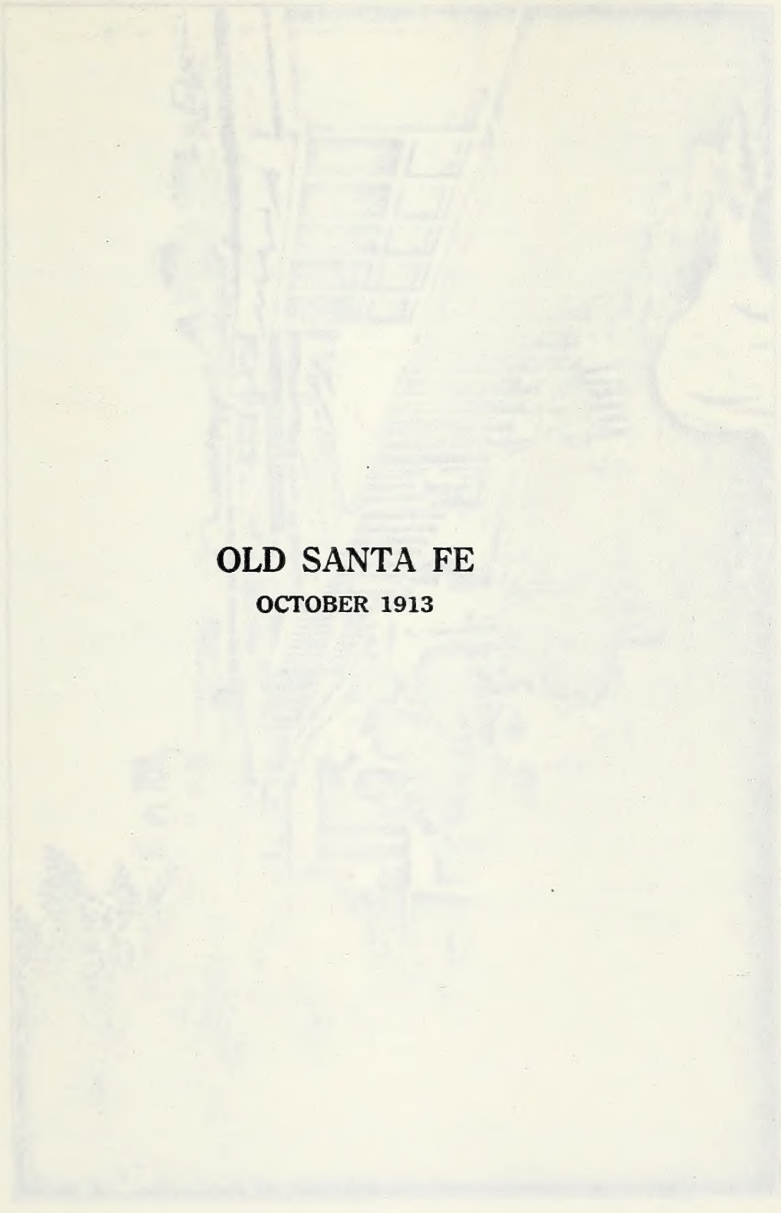
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Exposition, commemorating the opening of the Panama Canal in 1915, is intended to be largely scientific and educational. The expeditions planned and collections made will be in line with the regular work of the school and greatly widen its influence. A large amount of scientific work is provided for and an exceptional opportunity is afforded for bringing results befor the public. Already the work is in full progress in the Southwest, Southern California, and Central America. The Smithsonian Institution has assumed a large part in the programme of research and exhibition, and has its operations well advanced.

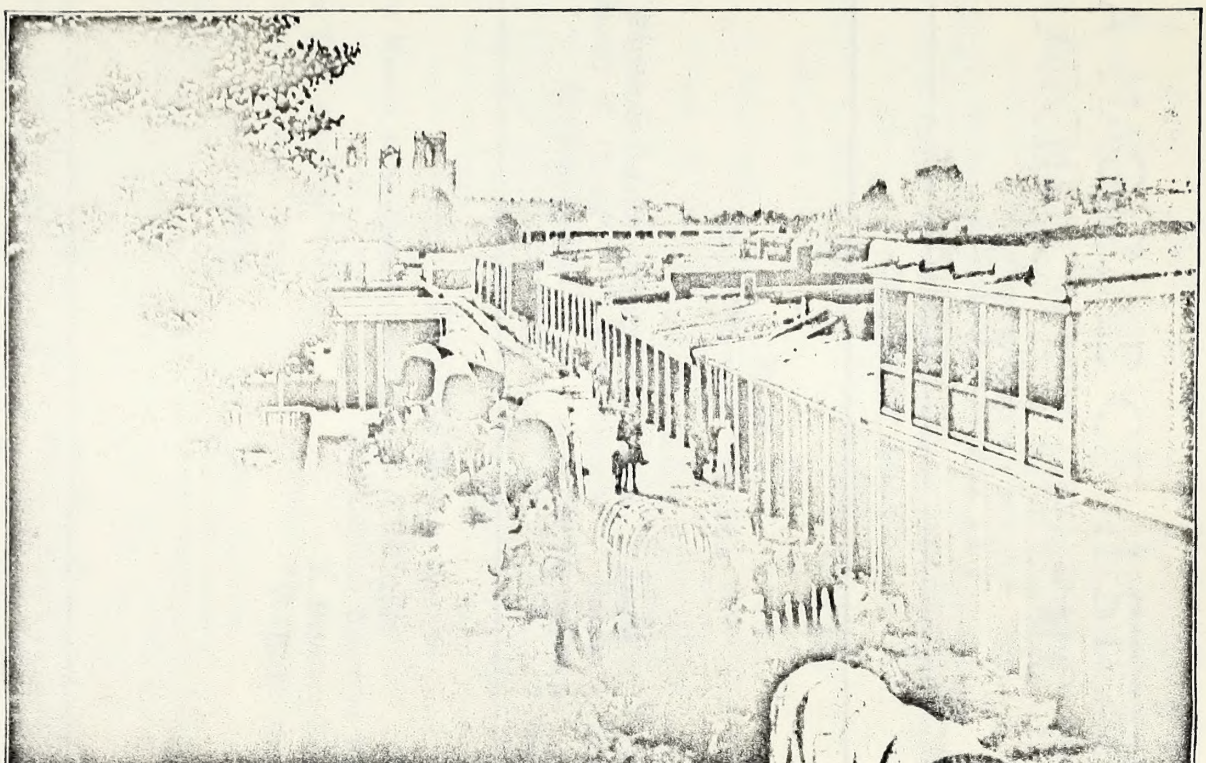
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OCTOBER 1913

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San Francisco Street, Santa Fe, New Mexico, in the days of the old Santa Fe Trail



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CONTENTS

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The Taos Rebellion ..... E. BENNETT BURTON
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PART I—NEW MEXICO IN 1822—Continued

CHAPTER VI

THE CHURCH

To COMPLETE the description of New Mexico in 1822 there remains this side of the picture to be presented, and it is by no means the least important.

In his report presented before the Cortes, two of the five measures which Deputy Pino urged were the establishment of a "College of Religious" and the establishment of a separate bishopric for New Mexico. As neither of these provisions was put into effect until some years after 1822, Pino's statement of them applies to that year as truly as to the year 1812. They are therefore quoted complete.[86]

CHAPTER VII

I — Ecclesiastical Government

The 26 settlements of Indians and the 102 plazas of Spaniards, which form all there is to the Province, belong to the spiritual diocese of Durango. They are administered by 22 religious of the order of Saint Francis of the Province of Mexico; and only in one pueblo of El Paso and in the Capital are the clergy parish priests. They enjoy income from the public treasury, except those of the villas of Alburquerque, Santa Cruz de la Cañada, and the Capital, which have no more income than the receipts at the foot of the altar.

[86] "Pino", 31-3.

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PART I—NEW MEXICO IN 1822—Continued

CHAPTER VI

THE CHURCH

Attention should be called to the immense distances of the pueblos where the clergy live from the plazas of the Spanish inhabitants. Living 8 or 10 leagues away, they cannot attend or hear mass in the same pueblo; nor can they have their own vicars because the revenues do not amount to definite stipends except for the spiritual administration of certain pueblos. The endowment of these latter was fixed without at that time anticipating those 102 plazas which have had to be built since the year 1780 in order to conserve all of the Province.

It is over 50 years since anything has been heard as to whether or no there is any bishop, nor has one been seen in that Province in all this time. Naturally those higher offices and the provisions for ecclesiastical discipline go unfilled. The inhabitants suffer infinite wrongs from the lack of their highest shepherd. Not a soul has been confirmed in 50 years, and the poor ones who wish to marry relatives through dispensation cannot do so by reason of the increased expense for the long journey of more than 400 leagues to Durango. Thus it is that many, driven by love, live in concubinage and with family. Nor is the zeal of those ministers of the Church able to avoid this scandal and others which are suffered because of said lack. It is certainly most painful that while that Province sends out yearly from 9 to 10,000 dollars in tithes, it has not had the privilege in fifty years of seeing the face of its bishop. I, who am over 50 years old, never knew how they dressed themselves until I came to Cádiz.

II — College of Religious

The foundation of this college is determined by royal decree of June 30, 1777, and by a brief of His Holiness of Nov. 17, 1779, by virtue of apostolic bulls of Innocent XI given in Rome, June 28, 1686.

> (*Note by Pino*: They say in paragraph 10: "We desire, and by the tenor of these presents we ordain, that in any of the provinces named where there may not have been erected or approved any seminary or college of missionaries of our order with the authority of the sacred congregation of the propagation of the faith, a college or seminary shall be erected to educate missionaries, etc.")

The walls of the convent were erected in those years, and lands were designated so that with the least burden on the Province 12 religious might be maintained. But everything remained in dispositions, nor did the remonstrances avail which were made in 1806 by the commissioner general of the Indies, Fray Manuel Maria Trujillo, nor the repeated remonstrances of the people — an unavoidable result of the lack

of a bishop, whose presence is necessary to complete the establishment of the spiritual pastures.

Nothing lacks, then, but for Your Majesty to order the bishop, who has to be named for New Mexico, to carry out immediately the royal decrees and the pontifical bulls already cited; and, if the lands designated should not suffice, for the Province to indicate others where most agreeable.

Since this college is to receive the youth of that Province to teach them higher studies, the 35,000 pesos balance of the tithes may be applied to their expenses, provided the bishop is satisfied with the stipend assigned to the bishop of Sonora. For the same expenses may be utilized the amount of 1,920 pesos of the 6 stipends of those other religious who serve in the parishes of Our Lady of Belen, la Isleta, Abiquiú, Santa Clara, San Juan de los Caballeros, and San Gerónimo de Taos. These religious have sufficient to maintain themselves with only a "foot of the altar" which is paid by the Spanish inhabitants of the plazas and the pueblos of Indians already referred to, as is found in the three villas described in the chapter "Gobierno etc.," page 31.

(*Note 2 by Pino*: For some time 8 religious parishes have been vacant, since there should be 30. Each religious receives 320 pesos, and the amounts due the 8 lie in the coffers of Chihuahua. This sacred debt might be paid the Province, for the establishment whose foundation will result in the greatest advantage to the same public treasury within a few years.)

As the religion of Saint Francis has been the conqueror, let us so state it, and it has been she alone in the spiritual. The inhabitants are so accustomed to see this attire that any other might not be so well received. In this view, it would be well for the 12 religious to be of the same order, and even the first bishop. And thus Your Majesty finds removed by the Province itself all the difficulties for the two first establishments.

III — Plan for the Creation of a Bishopric in New Mexico

It can be established without any burden on the treasury. The bishop of Sonora is allotted from 4 to 6,000 pesos; the tithes of New Mexico yield from 9 to 10,000 yearly. The same amount being applied to the mitre as to that of Sonora, the result is, the bishop maintained and a balance of some amount for the college and primary schools. As to whether this would suffice to maintain him with decency, it is only necessary to note that of the politico-military governor, with coach, good house, etc., on a salary of 4,000 pesos.

As shown in the quotation just given, the Franciscans were the religious order which had the high privilege of introducing the Christian faith into New Mexico. This is not the place to present the history of their work, but one is glad to find, after discounting the undiscriminating language which various writers have employed on this subject, that much evidence of faithful service remains. The sensitiveness sometimes manifested in this regard is evidence in itself that some truth lay behind unpleasant charges. History is the record of facts, and the member of any Church will best meet the occasion who submits evidence rather than sweeping denials; who laments that which is unworthy of the Christ, in Church or in teaching, in minister or in disciple, instead of protesting their worth. Truth may be glossed over, but the glossing does not command respect or honor.

The following is probably a very fair estimate of the state of Christian life and work as they were at the opening of our period.

It should be noted that the New Mexican missions were radically different from the California establishments of later years. Practically, except in being subject to their provincial and paid by the king, instead of being under the bishop and supported by parochial fees, these friars were mere parish priests in charge of Indian pueblos. There were no mission estates, no temporalities managed by the padres, and except in petty matters of religious observance the latter had no authority over the neophytes.

At each pueblo the padre had a church where he preached, and taught, and said mass. With the performance of these routine duties, and of those connected with baptism, marriage, and burials, he was generally content. The Indians, for the most part willingly, tilled a little piece of land for him, furnishing also a few servants from week to week for his household service and that of the church.

He was in most instances a kindhearted man, a friend of his Indians, spending much of his salary on them or on the church. If sometimes reproved by conscience for having lost something of true Franciscan spirit, he redoubled his zeal in petty parish duties for a time, bethought him of adverse circumstances and of the "*costumbre del país,*" and relapsed into the customary inertia. If reproved by the governor or bishop or provincial — for even the latter occasionally complained that

the New Mexican friars were beyond his control —he had stored up in his memory no end of plausible excuses and counter-charges.

The Indians were in no sense Christians, but they liked the padres in comparison with other Spaniards, and were willing to comply with certain harmless church formalities, which they neither understood nor cared to understand. They had lost all hope of successful revolt, but were devotedly attached to their homes and their ancestral ways of pueblo life; dreaded apostasy, because it involved a precarious existence among hostile tribes of savages; and thus, as a choice of evils, they lived and died as nominal Christians and Spanish subjects, or perhaps more properly slaves.[87]

In consequence of a small-pox epidemic, eight missions were reduced to *visitas* in 1782, with a saving of $4,000 in *sínodos*, or salaries paid the friars by the government. It was the sum which had thus accumulated to which Pino referred as shown above. In 1817 when the bishop of Durango sent his vicar general to visit the Province, the latter sent back a petition for at least ten good priests, five for the missions of El Paso and the others for Belen, Abiquiú, Taos, and San Juan. He asked also that the limits of the missions should be positively determined and all the churches provided with secular priests — in which petition he was supported by Bonavia, the commandant general of the Province.[88]

As may be seen by the report on the missions as made out by Custodian Rubin at the close of 1821,[89] there were twenty religious at that time with stipends from the government amounting to $3,285. The neglect of New Mexico by the bishop of Durango has already been noted, yet all the missionaries were subject to that dignitary through the custodian in Santa Fe; and at that time the custodian was the only secular priest north of El Paso.

The Franciscan method was for every mission to depend for its government upon the nearest mission where several priests formed a community according to the rules of the order. We

[87] Bancroft, 270-1, 273.

[88] Salpointe, 128. This secularization of the missions was to come up a few years later.

[89] V. note 43, ant.

are told, "To the *Custodio* it belonged to appoint priests to the different missions, and his duty it was to help them in their difficulties, and to correspond with the Mother House of the Order in Mexico, to secure the annuity made by the government to every missionary, and to forward it to whom it was due."[90]

Of the eight *visitas* mentioned above, Santa Ana, Zia, Acoma, Zuñi, Tesuque, Nambé, and Pojoaque were still such. And of the missions which Deputy Pino said in 1812 did not need their stipends, those of Belen, Isleta, Abiquiú, San Juan, and Taos seem to have been withheld. These last, together with Santa Fe, Cañada, and Alburquerque, were maintained by local fees and offerings.

The funds which were thus sent into New Mexico from the public treasury were much less than those which were drawn from the Province by the Church. Of the tithes which were required of all the inhabitants, Deputy Pino estimated that one-third failed of collection, but another third went to those who "rented" them, and the balance was simply drained from the Province. Pino showed how these tithes might have been used to benefit the people who paid them, but as it was, there was no compensation to New Mexico.

What, then, was the financial problem of the local churches in New Mexico? On the side of the laity were the generally straightened circumstances of the struggling frontier province, and the payment of tithes required by the Durango authorities; on the side of the clergy were the small stipends received from the government, and the need to supplement these amounts if they were to exist and if they were to give a service adequate to the spiritual needs of New Mexico. The only solution was to secure further support, voluntary or assessed, from their parishioners. One can hardly wonder, therefore, that the fees demanded in payment for the sacraments of the Church were often prohibitive.

Such fees had to be paid if one would enjoy the benefits of the Church, but a peon would reason: "If I marry, my family

[90] Salpointe, 127.

must go unclad to baptize my children; and if any of them should die, we must starve ourselves to pay the burial charges." Gregg tells of a poor widow in Santa Fe who "begged a little medicine for her sick child. 'Not,' said the disconsolate mother, 'that the life of the babe imports me much, for I know that the *angelito* will go directly to heaven; but what shall I do to pay the priest for burying it? He will take my house and all from me . . . and I shall be turned desolate into the street.'" [91] It is possible that many a man fell into debt through such borrowing to meet such demands; and in those times, debt in New Mexico tended to peonage in the case of the poor.

We have seen above how Bancroft described the last half of the eighteenth century, and his estimate is based upon Roman Catholic authorities which he cites.[92] As for the padres themselves, whatever their shortcomings, Bancroft was doubtless right in saying that they were better than their enemies. But of far more serious moment to New Mexico than their personal qualities was the quality of that which the padres brought to this Province. At their hands New Mexico received mediaeval Roman Catholicism, and only a faint and obscure light of the Gospel came to their people through that dark medium.[93]

The Inquisition was active in Mexico up to the time of the Independence, but fortunately its operations never extended

[91] Gregg, i, 263. The very commendable course initiated by one of the priests in 1824 in order to relieve such distress will be presented in chapter v of Part II.

[92] *Id.* Bishop Tamarón, for example, in his visit of 1760, had occasion at many points to administer severe reproof. In 1787, Ilzarbe praised the efficiency with which they performed their duties as missionaries and teachers, but he complained of the difficulty of getting reports from the New Mexico friars. The bishop also, in 1789, declared that it had been impossible to get satisfactory reports from the New Mexico custodio. In his "Letter of 1793," Viceroy Revilla Gigedo reported that the churches generally were in a state of decadence, and the Indians were ignorant of the faith. The child was baptized but did not keep his baptismal name. He attended *doctrina* from the age of six or seven years, but soon after marriage forgot the little he had learned, and died for the most part like the pagans. And the Spaniards were but little better.

[93] To verify this statement, the reader may study the contemporary records of those times; or, better and far more easily, he may study any Mexican plaza or Indian pueblo in New Mexico today which is still untouched by evangelical Christianity.

into our Province.[94] But neither, and here one must say most deplorably, did the Bible reach New Mexico. It is hardly necessary to say that, during the Spanish and Mexican periods, the Bible in the vernacular was wholly unknown in New Mexico. As stated by one who was a youth during the Mexican regime, "the Bible was never read in the churches, nor did the padres ever show it to the people. They did not want it to be read, for they said that that right belonged to them exclusively."[95] It is safe to say that the padres themselves had not a single copy in Spanish until after the close of this period, to read for themselves and much less to show to others. Christians were "children of the Church," and Jesus Christ as only Savior and supreme Master was unheard of in New Mexico through the Roman Catholic administration.

In concluding our description of New Mexico in 1822, we would revert to the parallel and the contrast between the Eng-

[94] Lib. of Cong., *N. Mex. Archs.* The Inquisition, restored in 1814, was active in Mexico until it was the second time abolished in Spain by the liberal revolution of 1820. In Mexico, this second period of activity terminated on June 23, 1820, and a statement of its holdings and resources at that time was signed at Mexico on June 13, 1823, by Frco R. de la Peña. There were five canonries which, on a basis of five years' returns, were estimated to yield 30,000 pesos a year. And the grand total of assets was placed at 1,880,103 ps, 0 rs, 2 gs.

A similar and very detailed statement of the temporalities of the "ex-Jesuits" was published in Mexico on May 28, 1823. Their properties in town and country, their hospitals and convents, had a total valuation of 1,090,979–3–7. Their obligations (*los gravamenes que reportan destinidos á obras pias, sustento y curacion de enfermos, y créditos pasivos*) were 1,565,431–1–6. And the annual revenue was 41,646–7–8.

In Mexico, the Jesuits were suppressed in 1767 and, some years later, (in June, 1769, Bancroft says) their temporalities (or such small part of them as had not by then been dissipated) were turned over to the Franciscan order. The Jesuit order had been entirely suppressed by a papal brief of July 21, 1773, but rehabilitated by a papal bull of August 7, 1814. It is safe to say, therefore, that the resources above indicated had been accumulated by the Inquisition and by the Jesuits in the brief periods of six and nine years respectively. Apparently the policy was to amass a considerable part of the ecclesiastical revenues drawn from such a province as New Mexico and to hold them in the form of an endowment rather than to use them in spiritual ministry; to employ them in enriching the Church and absentee clerics rather than in the cure and nurture of souls.

[95] Stated in conversation by the late Col. Francisco J. Perea, of Alburquerque, New Mexico.

lish and the Spanish civilizations which were suggested in the introduction.

The Thirteen Colonies along the Atlantic seaboard were the offspring of northern Europe, whereas Mexico, on the other hand, was conquered and colonized by the soldiers, priests, and settlers from southern Europe. Mexico, therefore, had only the most vague ideas of civil liberty; she had still less conception of religious freedom; and she did not at all comprehend the relation between the two. On the other hand, the people of the Thirteen Colonies had long had knowledge of, and experience in, both.

To make the contrast more definite, let us realize that Hernando Cortes already had a firm grasp on Mexico at the time when Martin Luther stood in the Diet at Worms. This means that Mexican colonial history was already begun; whereas the colonial period of the northern Republic was not initiated until after the Reformation in Europe had attained to sturdy youth.

In other words, shackles of Church and of State were the heritage of Mexico; civil and religious liberty were the heritage of the sister country. It is true that neither Puritan Massachusetts nor Roman Catholic Virginia at once granted to dissenters full religious liberty. But in Maryland, Lord Baltimore, a Roman Catholic, welcomed Puritans driven from Virginia and Quakers exiled from Massachusetts; and there, by the Toleration Act of 1649, absolute freedom of worship was enjoyed by all Christians. Roman Catholicism in the Thirteen Colonies was more than two centuries ahead of Roman Catholicism in New Spain.

PART II—NARRATIVE HISTORY OF YEARS 1821-1837

CHAPTER I

INDEPENDENCE ESTABLISHED

THE ungrateful and impolitic course of Ferdinand VII of Spain hastened the disintegration of his realm. In his exile he had "forgotten nothing and learned nothing," for as already related, on his restoration to power in 1814, he at once abrogated the Constitution of 1812 and restored the absolute monarchy. But the course of events cannot thus be controlled, and so it was that the liberal revolution of 1820 reëstablished the Constitution and instituted a new Cortes.[96]

Meanwhile, in Mexico the feeling had gradually strengthened that the Spanish power must be done away with. General Agustín de Iturbide determined to unite the Royalist and Independent parties, and by the Plan of Iguala, February 24, 1821, in which Guerrero and the Spanish Viceroy O'Donojú joined, he proposed an independent monarchy with a ruler from the Spanish royal family.

This plan failed, but nevertheless independence had been practically and peacefully assured. On August 24, 1821, the Treaty of Córdoba was signed by Iturbide for Mexico and by Viceroy O'Donojú for Spain, although without previous authority.

Hostilities did not cease however until Iturbide took the City of Mexico on September 27, 1821, by which act the Independence of Mexico was consummated. A Provisional Council of thirty-six members was at once created under the Plan of Iguala, and this body appointed a regency of five members with Iturbide as president and commander-in-chief of army and

[96] It was this Cortes to which Deputy Pino was elected the second time.

navy, the purpose of this regency being to officiate until the selection and arrival of the foreign ruler.

On Sunday, February 24, 1822, a Congress which had been elected under the provisions of the Plan of Iguala and of the Treaty of Córdoba assembled in Mexico City to form a constitution.[97]

On February 13, 1822, Spain disapproved of the Treaty of Córdoba, thus severing the last bond which the Mexicans were disposed to recognize between themselves and the mother country. When her action became known in Mexico, Iturbide arranged a popular demonstration and prevailed upon Congress on May 19, 1822, to ratify his choice of himself to be emperor. He was crowned on the 21st of July.

In New Mexico, fortunately, were not manifest any of those heroic, bloody struggles in which the national epic of Mexico abounds. The causes did not there exist which could produce them. There was no animosity or party-hatred, and the long distance from the theater in which they took place was doubtless another influence here which kept the peace and tranquillity unbroken. Notwithstanding the fact that New Mexicans bore no active part, they were none the less enthusiastic partisans, nor were they less good Mexicans than their brothers in the South.[98]

Not until September 11, 1821, did news of the Plan of Iguala reach Santa Fe, but then the sons of New Mexico, lovers of their country and their religion, took the vows of Independence. On December 26th, the regular mail brought the glorious news of Iturbide's entrance into Mexico.[99] Letters, papers, and poetic effusions were read by the recipients to the crowd at the postoffice, Governor Melgares himself reading a patriotic address from the city of Tepic. *Vivas* resounded on all sides, patriotic harangues were heard, and never had such delight

[97] Lib. of Cong., *N. Mex. Archives*, a printed circular announcing the installation of Congress on February 24th. Two days later the regency of the empire announced a decree passed by Congress which ordered a solemn mass and *te deum* to celebrate their happy installation (*id.*).

[98] De Thoma, *Hist. Popular de N. Mex.*, 154. We shall find rifts in this internal peace, but as a comparison with the nation at large, it is a fair statement.

[99] This was three months, lacking a day, since that event took place.

and satisfaction reigned.[100] One of the documents received at that time was the "Act of Independence of the Empire" as decreed on September 28th by the Provisional Council.[101]

The new year was ushered in with a formal celebration on January 6th. Melgares forwarded an account of it to Mexico, where the regency had it gazetted.

The people were determined if possible to excel the demonstration of Tepic, and the members of the corporation had offered themselves and their means to this end, since they desired that the day set for the representation of the "drama of the Three Guarantees" should be made immortal for the dwellers in Santa Fe.

On December 31st, the three characters were thus assigned: to the "ensign of militia and syndic-attorney," D. Santiago Abreú, that of Independence; to the "Señor curate, vicar, and ecclesiastical judge," D. Juan Tomás Terrazas, that of Religion; and to "the well-meriting European and chaplain of the imperial troop," Fray Francisco de Hozio, that of Union.

The contagious enthusiasm of the curate Terrazas found ready coöperation in the illustrious Ayuntamiento, the "invaluable three-guarantee" first alcalde D. Pedro Armendaris and his fellow officers all pledging their assistance.

The curate then proceeded to arrange for the painting of the sheets which were to cover the rear of the stage and which should present to public view three emblems. One was to allegorize Union by a lamb and a lion. Another, the tree of Liberty which should appear watered by four streams to be discovered within a cloud — alluding to that decided tutelage under which our system exists by arms, letters, ecclesiastical government, and secular government. And the third, the prize of virtue symbolized in the heroic Iturbide, his brows wreathed with the precious laurels of Religion, Union, and Independence.

This allegorical painting was done to the satisfaction of all by "the most independent" postmaster, D. Juan Bautista Vigil; and then, adorned with damask hangings and with the

[100] Univ. of Calif. Library, *La Gaceta Imperial*, March 23, 26, 1822.

[101] Salpointe, 154, gives a translation of this Act.

most exquisite cloths in the city, it was placed in the main plaza, in the corredor of the palace of the governors. And although the whole stage was beautifully adorned, it was not so praiseworthy as the three emblems placed at the rear, in the center of which was Independence raising high the precious Mexican standard.

In the center of the plaza was placed a white flag, nailed high, on which were depicted the Three Guarantees within a tricolor heart as if resting upon peace.

The morning of the 4th, the "three-guarantee" alcaldes of first and second election started out to give a general invitation to the illumination with which the drama was to commence.

Daybreak of January 6th was announced with ringing of bells, salvos of artillery and musketry, and with a blast of music as the banner of the Three Guarantees was unfurled. The crowd paraded the chief street with a cock, in token of their excessive jubilee; and after mass had been attended, the first alcalde announced that the triumphal procession would start at ten o'clock.

The order of procession was as follows. The Sr. *Gefe Político* with the Illustrious *Ayuntamiento*, officials, and body of citizens formed two files, between which were placed the youth, bearing palms and flowers, and dressed in white with sky-blue below and with green laurel wreaths on their brows, and on their breasts having a tricolor girdle with the inscription: "*Viva la Independencia del Imperio Mexicano.*"

In front of the procession and in the center went a charming little tot dressed as an angel with a sword in the right hand to represent the immortal Iguala and that field which, by means of enlightenment and the free press, is opened to Independence by politics with their writings. Behind this one followed two angels richly adorned who carried between them a beautiful baby girl dressed as a virgin, the which represented the Independence and Purity of our cause; and the two angels who entwined their arms with those of Independence signified, that on the right, Religion, that on the left, Union. These three were bound together by a single tricolor ribbon. . . Other tots

immediately followed whose varied ornaments signified the rich and diverse Provinces which compose the opulent American soil. Then followed the music, playing patriotic songs to the little girl who took the part of Independence, she bearing in her hands the standard of the Empire of Anahuac, whose precursors are only Humanity and Beneficence, and above all the reëstablished liberty of the northern people.

After the march had ended at the parochial church with sweet hymns of thanksgiving, the concourse passed, despite the inclement weather, to the main plaza where a gay dance by the Tesuque Indians awaited them. This lasted until one o'clock, and then the people scattered to the various public games which had been placed around the plaza.

As night approached, three salvos of artillery announced the drama, which began with the general illumination. At the same time four squads of soldiers took position at the corners of the plaza and fired salvos, shouting, the first, "*Viva la Religión*"; the second, "*Viva la Unión*"; the third, "*Viva la Independencia*"; the fourth, "*Viva la Libertad del Imperio Mexicano.*" Then the "Three Guarantees" recited, the which, standing within the stage and magnificently adorned, made apparent to all Santa Fe that their ostentation and majesty were venerated and sustained by all the world of the Indies.

The drama ended, a *baile* began in the palace itself which all persons of distinction attended. . . The floor of the hall was suitably decorated. Refreshments were served with the abundance which such a large assembly required, and the celebration ended at four-thirty in the morning with the same jubilance with which it began the evening before — such that even the governor, the first alcalde, and the chaplain were pleased to do a step between dances.

Reason so dominated that at the end of the drama and also of the dance, both men and women were proclaiming the holiness of our cause, sustaining their voices with vigorous constancy, . . . all crying without ceasing, "Independence or Death!" [102]

[102] A fairly close rendering of the account in *La Gaceta Imperial.*

When the glamor and enthusiasm thus described had dissipated, what of permanent substance remained? The "Plan" which Santa Fe had celebrated in this whole-hearted fashion was to enjoy national independence, conjoined with ecclesiastical monarchism, under a resident member of the Spanish royal family. The problem which very few Mexicans appreciated was: could such an arrangement be made to work?

One of the Three Guarantees was quickly eliminated — that of Union. For Spain promptly repudiated the treaty which O'Donojú had signed in her name, and thus the Mexican people were left to fuse if possible spiritual absolutism with civil republicanism. History was to show that religious liberty also had to be established before the people might enjoy genuine Independence, but the Mexican Republic failed to solve this problem until twenty years after the period which we are considering. While New Mexico remained under Mexican administration the two antagonistic principles were maintained in unhappy partnership, but with constantly recurring dissensions among a people who were oblivious to the underlying cause of their misfortunes.

The Spanish laws reëstablished in 1820 included, as we have already seen, the Constitution of 1812 and that law of the following year which was intended to regulate the government of the provinces. New Mexico had now to institute her provincial government in accordance with those laws.

It is probable that Governor Melgares received instructions in the December post already mentioned, and that he immediately sent directions to all the jurisdictions for the primary elections. At all events, an elector was present in Santa Fe the latter part of January from each of the fourteen *alcaldías*, including El Paso. In this first election of deputies there was no *elección secundaria*, doubtless because the Province had not yet been divided into *partidos*.

On January 28th, these electors assembled in the "cabinet hall" of the Ayuntamiento of Santa Fe, in the presence of that body and with the governor presiding. This electoral junta of fourteen members then proceeded in due form to decide who

should be the deputy to Congress for New Mexico; and the election fell upon D. Francisco Perez Serrano y Aguirre.

According to law, they assembled again upon the following day and elected the deputies and alternates who were to compose the first legislative body of New Mexico.[103] These men were:

Vocales proprietarios.	Alternates.
D. Francisco Xavier Chavez	D. Juan Rafael Ortiz
D. Juan Bautista Vigil	D. Francisco Montes
D. Agapito Alvo (of El Paso)	D. Bartolomé Baca
D. Juan Estevan Pino	
D. Pedro Ygnacio Gallego	
D. José Manuel Martin	
D. Manuel Ruvi de Celis	

[103] The proceedings of the two days differed only in the duty performed. It is to be noted that no *vocal suplente* to Congress was chosen; and only three alternates (instead of seven) for the Deputation.

"In the city of Sta. Fe, capital of the Province of New Mexico, on the 29th day of the month of January of 1822, in the cabinet hall of the Ayuntamiento, that body being assembled in due form, [and] composed of the Señores its members [who had been] summoned *ante diem* by *cédula*, who are: D. Pedro Armendaris Alcalde *1º nombrado, Regidores* D. José Franco Baca, D. José Frco Ortiz, D. Ignacio Ortiz Segundo, D. Antonio Ortiz, D. Juan Alarid, D. Rafael Sarracino, D. Pablo Montoya, D. Manuel Sanches, D. Mateo Sandoval, D. Juan Estevan Pino, and the *Síndico-Procurador* D. Santiago Abreú, [being] presided over by the *Señor Gefe Político* D. Facundo Melgares, Lieutenant Colonel Cavalier of the Military and National Order of San Hermenegildo, and summoning, together with the said Ayuntamiento, the *Señores electores de Provincia* D. José Miguel Aragon for the *Alcaldía of la Alameda*, the Presbyter D. José Francisco Leiva for that of Alburquerque, D. Dionicio Contreras for that of Bethlem (Belen), D. Eusevio Aragon for that of la Guna (Laguna), D. Manuel Ortega for that of la Cañada, D. José Antonio Chaves Durán for that of Ysleta, D. Ysidro Sandoval for that of Cochití, D. Tomás Sandoval for that of Xemes, D. Antonio Padilla for that of el Bado, D. Felipe Sandoval for that of el taus (Taos), D. Juan Estevan Pino for that of Santa Fe, D. Juan de Jesús Romero for that of San Juan, D. Pedro Ygnacio Gallego for that of Abiquiú, and D. Rafael Garcia for that of Pueblo of El Paso del Norte; [the President] stated before me the undersigned Secretary that, [as] directed by the Sovereign Junta according to the 17th Article of the convocation for the constituent congress, they must proceed on the day following [that] of the Election of the Deputy to Cortes [!] to the naming of the seven *vocales* who form the Provincial Deputation; to the end and according to the formalities prescribed by the said convocation, [and] being assembled the various *señores* who have already been designated [they] proceeded to the naming of clerks and secre-

Credentials were issued to the deputies on the following day [104] and they were directed to assemble promptly, but the Provincial Deputation was not installed until April 14th, which was the first Sunday after Easter.[105] What business was

tary, these receiving the votes [of the electors] in writing; and this being accomplished, there have been elected the Señores D. Francisco Xavier Chavez, D. Juan Vigil, D. Agapito Alvo, D. Juan Estevan Pino, D. Pedro Ygnacio Gallego, D. José Manuel Martin, D. Manuel Ruvi as *Diputados de Provincia,* and for *suplentes* D. Juan Rafael Ortiz, D. Francisco Montes, and D. Bartolomé Baca. In consequence thereof, lawful powers ample for all are granted to them and may each agree for himself that they fulfil and discharge the functions proper to them, affording whatever they understand [to be] conducive to the general welfare within the limits which may be prescribed for them by the august and sovereign Congress of the Empire without power to annul, alter, or change in any manner that which may be entrusted to them and [which] may pertain to the discharge of their functions, [they] the granters binding themselves for themselves and in the name of the Jurisdictions which they represent to hold for valid whatever they may do which is in conformity with the laws that, for their guidance, may be communicated to them. So they stated it and conferred [the powers], directing that each *señor Diputado* be given the credential of his election and there signed the [act] with me the *Señor Gefe Político* together with two *Señores Regidores* as witnesses.

"Facundo Melgares.

"Rafael Sarracino. Before me, Mateo Sandoval.

"José Ygnacio Ortiz."

[104] The credential reads:

"*Es adjunta la credencial que corresponde á V. S. como Diputado de Provincia de esta del Nuevo Mexico. Espero que lo antes posible se reunirá V. S. á dicha corporacion que deve instalarse y existir luego en esta Capital.*

"*Dios &c. Enero 30, 1822.*

"*A los Sres Diputados Provs.*"

[105] A translation of this record also is of interest:

"Provincial Council.

"Act of its Installation.

"In the city of Sta. Fe, Capital of the Province of New Mexico, on the 14th of the month of April, 1822, and second of the Independence of this Empire, The Acting *Gefe Político* having summoned in writing *ante diem* the *señores vocales* [who had been] named on the 29th of January of the present year by the electoral junta of the Province named for that object; and of them there being present in this capital the Señores Deputies D. Francisco Xavier Chavez, D. Juan Bautista Vigil, D. Juan Esteban Pino, D. Pedro Ignacio Gallegos, D. Manuel Martinez, and D. Juan Rafael Ortiz, they proceeded to the installation of the First Provincial Junta, this solemn act being begun with an elegant discourse read by the Señor President congratulating himself and protesting before the said corporation the ardent desire which he had of being useful and contributing to the welfare of all the Province in general. They next proceeded to give their oath according to law in the hands of the said *Sr. Gefe Político,* and which [act] the Most Excellent *junta de Provincia*

transacted in that first session is not known, further than that Deputy Vigil was elected secretary.[106]

Two marks of courtesy completed the establishment of the new order of things. Word having been received of the installation of the Sovereign Constituent Congress on February 24th, our deputation voted in their third session to felicitate that body by the outgoing mail. And on the following day "a communication was read from the Ayuntamiento of this Capital in which they felicitate this Excellent Body upon their installation." [107]

The deputies of this first term, as also of the succeeding terms, are entitled to an honor which has never been accorded them. With few if any exceptions they came from the privileged classes, and yet they served as deputies without salary and often to the detriment of their private affairs. Many a distinguished name is found on their rolls, for they were the civil, religious, and military leaders of New Mexico.

In this first body was the "most independent" postmaster, already met as knight of the paint-brush in the Santa Fe celebration. Thanks to his care as secretary, the legislative records of these first years were well kept.[108] We shall have frequent views of Don Juan throughout this whole period.

remained installed; and proceeding, its first session opened in the following manner. — Here the act of 14 of April of 1822.

"[Certified] copy of the original which was sent to the Government.

"Santa Fe, 11 de Dic. de 1825, by Teodosio Quintana, Sec'y."

[106] In the fall of 1825, Juan B. Vigil was suspended temporarily until a disagreement regarding his expenses should be settled. He seems to have mislaid some personal documents, for the matter was still pending five years later. On November 11, 1830, however, he asked vindication, submitting two papers. The first was a note from D. Facundo Melgares, dated April 14, 1822, in which he was directed to insert in the act of installation an item to the effect that, when there were funds, a salary of 600 pesos should be paid the secretary. The other was an original order of payment for 1,500 pesos which the Deputation had approved on October 19, 1824, in favor of said Vigil.

[107] Fed. Land Office, Santa Fe, manuscript legislative journals, April 16 and 17, 1822.

[108] The method followed was to take down the minutes, present them in draft (*en borradores*) at the next session for any corrections, then enter them in the journal with the signatures of the governor as president of the Deputation and the secretary. In later years, all the deputies present signed the records.

The southern part of the Province had a representative in Deputy Albo of El Paso; and one of the *suplentes* was Captain Bartolomé Baca, one of the three militia officers already mentioned by Pino in the Spanish Cortes. We shall see him as *diezmero*, or tithe-gatherer, and also as governor next but one after Francisco Xavier Chaves. The latter was now *primer vocal* of this same body.[109]

[109] In the absence of the governor, the *vocales* served as president of the Deputation in the order of their election. Whenever the *gefe político* was away from the capital, his powers as such were also exercised according to the same succession.

CHAPTER II

FIRST STEPS

Section 1 — Under Governor Facundo Melgares, until July, 1822

D. Facundo Melgares had become governor in 1818, and in the period of transition from the Spanish to the Mexican régime, he had been retained provisionally in that office, in both the civil and military capacities.

The administrative division known as "The Internal Provinces of the West" with capital at Durango, had been organized probably at about the time when constitutional government was reëstablished in the Spanish realm, in 1820. At least for the last year or so under Spanish administration, the Province of New Mexico had a deputy in the legislative body in that city in the person of Don Lorenzo Gutierrez, another of the three militia captains already mentioned. This arrangement was superseded of course when New Mexico was directed to send a representative to the new Constituent Congress in Mexico City; but two years later we shall find almost the same combination being proposed for a federal State, and in military affairs New Mexico was to remain for fifteen years with very little practical change from this earlier Spanish arrangement.

The earliest records of the Deputation contain references to various *ayuntamientos*, some already established and others now provided for. The members of these municipal bodies also gave their services without compensation, and we must remember that these were the first efforts at self-government in a country where conditions were exceedingly primitive.

The ayuntamiento of Abiquiú objected to paying 500 pesos due from the pueblos in its jurisdiction, and an inquiry on the

same matter came from the council in El Paso.[110] There is reference to the similar body in Alburquerque. The "new settlements" of Socorro, Sevilleta, and Valverde made it very difficult for the Ayunt° of Belem to administer justice in that *partido*, and the alcalde of Belem was accordingly directed to proceed to the election of two new ayuntamientos. One, at Socorro, was to have jurisdiction from Sevilleta to Valverde; the other, with jurisdiction from the boundaries of Valencia to Manzano, was to center at Tomé.[111]

One is glad to find that one of the first efforts was in the line of education. In 1813 the Cortes had delegated to the provincial deputations the responsibility of providing public schools, and now on April 27th the ayuntamientos of our Province were directed to take the earliest possible measures for the formation, as should be best in each pueblo, of public primary schools.[112]

But a matter of even more urgent need was the creation of financial resources. Schools could not be maintained without funds; and already Deputy Serrano had had to make repeated requisitions through Governor Melgares before he could secure the funds necessary for the long, tedious journey to the national capital.[113] But on March 6th he had notified the governor that he had arranged, God willing, to set out on the following day, and he requested any instructions agreeable to the latter. He had received 722 pesos from Don José Ignacio Ortiz, "Administrator of Tobaccos in this City," as the governor

[110] It appears that the funds for the journey of Pino in 1820 had been advanced. Governor Melgares had not succeeded in collecting all the assessments laid to refund this back debt, and he had put the matter in the hands of the new Deputation.

[111] This relieved Belem of all its jurisdiction which lay east of the Rio Grande, the two new jurisdictions taking in all of the settlements on that side of the river from the present Los Lunas south to the Jornada del Muerto. The reference to "the" alcalde of Belem suggests that these were all "half-ayuntamientos."

[112] *Diario del Cortes*, January 23, 1813.

[113] Lib. of Cong., *Letters* of February 17, 20, 22, 26, 28, March 4, and March 6. It is not clear what salary the deputies to Congress received during these years. Aside from such compensation, they were, by order of the general government, paid by their constituents *viáticos*, or so many pesos for each league traveled going and coming.

had arranged; and he hoped to receive the necessary papers so that he could secure the funds which had been left in Chihuahua and Durango by D. Pedro B. Pino.[114]

The legislators evidently anticipated the arrival of traders and other visitors from the great Republic to the east when, in the session of April 20th, they voted that strangers or American citizens should have equal footing with those previously citizens of the Province, with only [!] the restriction that, during the time which they might remain in the Province, they should suffer charges like citizens and should pay municipal taxes.[115]

The character of some of the charges to which unwary strangers were thus made liable may be gathered from a statement made on June 30th by the ayuntamiento of Santa Fe. They reported to the Deputation the revenues collected from fines and imprisonments during the months of April to June inclusive. In those times a man who received a jail-sentence was expected to pay board,[116] but it was not an expensive luxury as none of the charges seem to have been excessive. Jailing cost 1 peso per day; fines entered were of 2 p^{s}, 1 p. 2 r^{s}, 4 p^{s}; *bailes* were taxed 2 r^{s} each. During these months no dances were licensed except in April, but that month saw twenty-four, which were perhaps incidental to the installation of the Deputation, or the Lenten reaction. The revenues received by both the first and second alcaldes for the three months totaled 262 p^{s} 3 r^{s} ½ g., this amount being used to pay the secretary of their body and his incidental expenses, to pay the jailer, and for stationery, with a balance remaining of 47–5.

[114] Funds which the latter had failed to receive, thus being prevented from completing his journey to Spain in 1820 as deputy for New Mexico.

[115] In this connection, an interesting synchronism is found in the fact that from March to May of this year (perhaps longer) Stephen Austin, James Wilkinson, and J. D. Bradburn were all in Mexico City in the interests of various efforts at colonization in Texas. (Leland Stanford Univ., *Bexar Archives.*) Their communications were translated from English to French, and then to Spanish — which suggests the relative influence in Mexico at that time of the United States and European countries.

[116] Is the modern chain-gang or rock-squad an improvement? The MS. is of June 30, 1822, Lib. of Cong.

The municipal bodies met their current expenses as just indicated; and as soon as the Americans set up their first factory (a distillery), the jailings and fines were without doubt materially increased! But the Provincial Junta had as yet no resources, although Sr. Melgares had assured Secretary Vigil 600 p^{s} a year. On April 6th also he had ordered twelve reams of paper from Durango. How were such expenses to be met?

The answer is that, as a rule throughout these twenty-five years, they were met by makeshift. As each necessity arose, that remedy was applied which at the time was decided to be best — usually by a transfer of funds from one account to another, often by adjourning a decision, at times by assessment on those of means either through the ayutamientos as above illustrated or otherwise.

We may sum up the financial condition by saying that no salaries were paid locally, and the only ones paid from abroad were those of the governor, the soldiers, and the padres. Exception should be made of eight (perhaps more) of the priests who were supported by the fees and offerings gathered from their parishioners. The church tithes were drawn from the country, and the people were further liable now to national taxes. Frontier duties were negligible as yet and "consumption revenues" went uncollected.

On April 25th, President Melgares presented complaints which had come from the natives of Abiquiú. Certain community lands had been paid over to their curate. As this was contrary to law, the transfer was declared void and the padre was required to secure some other satisfaction of his debt.

Then on April 28th the Deputation adjourned for two months — as Juan Rafael Ortiz put it: "that we may sow, collect our herds, settle our debts, and conclude — or at least stir up — our affairs which are pressing right now." But the deputy from El Paso was forbidden to go home because of the distance!

Reassembling on June 28th, they asked the ayuntamiento of Santa Fe to arrange for them all to take the oath of obedience to the Sovereign Constituent Congress. Doubtless the *oficios*

from Mexico had by this time announced the choice of Iturbide as emperor. At least, one was read on July 5th which notified them that Francisco X. Chaves had been named *gefe político*, and thereby he became "also President of the Most Excellent Provincial Deputation."

Section 2 — Under Fr^co X. Chaves, until November, 1822

Señor Chaves assumed office on July 5th and served as *gefe político* until late in November of the same year. Sr. Melgares remained *gefe militar*.

These months passed without any events of especial importance, yet various matters are worthy of mention because of the composite glimpse they afford of that first year.

Three congressional decrees were read on July 8th, the first being the one which ordered that the deputies to Mexico be allowed expenses for going and returning. Another required the deputations and the ayuntamientos to hold their meetings publicly, except when they deemed a secret session necessary. And the last called for a census.[117]

On July 25th, the Deputation made a claim for Pedro B. Pino on Vizcaya (Durango) for 5,000 pesos. He had expended 12,000 pesos on his two journeys, and this was doubtless part of the amount of which they wished to avail themselves in paying Deputy Serrano.

A minute of August 29th bears upon the relations between the governing bodies. On that day a request was received by the Deputation from the first alcalde of El Paso, asking for three months' leave of absence so that he might go to Sonora on personal matters.

At the same session a report was read from D. Lorenzo Gutierrez, ex-deputy to Durango, in which he reported on the matters which he had there advocated. He asked that a statement of them be given to the people, and one was accordingly sent to all the *ayuntamientos*.

Another communication of the same day was from the "act-

[117] The census of Alburquerque of the following September was doubtless one result of this decree. Vide Part I, chap. iii.

ual deputy in Cortes." Deputy Serrano had presented his credentials in Congress on June 11th. After they had been passed upon and approved by the *Comisión de Poderes*, he was seated, June 17th.[118]

In the fall of 1822, citizens of New Mexico seem to have preferred charges against Gefe Militar Melgares, the purport of which is not known,[119] and he was relieved in office by Lieutenant-Colonel José Antonio Vizcarra, probably in October.[120]

One result of this trouble was that the authorities decided to reunite the two *gefeturas* in one man; and accordingly in November Señor Chaves also was succeeded by Sr. Vizcarra.[121]

[118] Lib. of Cong., *Actas del Congreso Constituyente Mexicano, Tomo II*, ps. 46, 64. Serrano seems to have served New Mexico with dignity, and he was one of those who survived Iturbide's *coup d'état* of October 30th, becoming a member of the new "Instituent National Junta" organized by the emperor. The forty-five members of this body with eight alternates were named in an imperial decree of October 31; and they took oath on November 2, 1822. Lib. of Cong., MSS.

[119] As already explained, New Mexico was at this time responsible in civil administration directly to Mexico City; in ecclesiastical and judicial administration, to Durango; in military and financial administration, to Chihuahua. When the political and military *gefeturas* in New Mexico were separated, the above disparity must have caused confusion and even friction. Melgares, who had previously held both offices, was in a trying position and he may, therefore, have been a hard yokefellow. But whatever the charges which the inhabitants had brought against him, the Chihuahua authorities completely exonerated ex-Governor Melgares in August, 1823, this fact being published throughout the Province on September 3d of that year.

[120] A document dated Santa Fe, October 31, 1822, shows the amount expended since November 1, 1821, in gifts to Gentile Indians. This is signed by Felipe Griego and countersigned by Viscarra. The outside bears the legend, "Correspondence of Lieut-Col. Je Anto Vizcarra" — evidently before he became civil governor.

[121] The earliest document found having his signature as *gefe político* is dated Santa Fe, November 30, 1822, and is the table of the committees of Congress which had been copied in Durango and then forwarded to Santa Fe. Another document of the same date and addressed to the "Gefe Político y Militar" is annotated by Vizcarra on December 3d.

Vizcarra was not simply supplying for Governor Chaves as some writers have stated, for Chaves continued as first *vocal* of the Deputation, and as such he in fact supplied for Governor Vizcarra when the latter had to be absent from Santa Fe. And once when Chaves also was absent, the second *vocal* officiated. On March 22, 1823, Chaves asked six days' leave of absence for his private affairs, promising to return without fail on the last day of "*la pascua inmediata de resurreccion.*" As there would be no sessions during Holy Week, his excellency granted the request. F. L. O., MSS.

CHAPTER III

PROVINCE WAITING UPON NATION

The short period during which the new governor served in person as *gefe político* was marked at its opening and at its close by national upheavals, each with its distant reverberation in New Mexico.

The older Independents, headed by Guadalupe Victoria, had viewed Iturbide's *coup* of October, 1822, with hostility, and they soon refused to acknowledge the Empire. On December 5th at Vera Cruz, Santa Anna proclaimed its abolition and declared for a Republic and for the restoration to Congress of its powers. We shall presently see how the new series of events thus started affected New Mexico; but meanwhile the news of the October change had reached Santa Fe, and on December 12th, at ten o'clock in the morning, Colonel Vizcarra being governor, they held a great celebration over the "Oath and Proclamation of Sr. Don Agustín, First Constitutional Emperor of Mexico." [122]

The financial situation in New Mexico was still unsolved. On December 24th, Deputy Serrano was compelled to write from Mexico that he had not yet received anything from the Province and that he had reached the point where he must resign unless relieved. Governor Vizcarra replied on March 18, 1823, that he knew the complaint to be true and also the Deputation had debated upon the matter. But there were no funds nor any available source; and he had, therefore, asked his im-

[122] Lib. of Cong., *N. Mex. Archs.* As early as February, 1822, the official communications from Mexico were in printed form; that quoted in footnote 93 (on *te deum*) was "*Número 7.*" One from the year 1826 is given in Read, *Illust. Hist. of N. Mex.*, 365, of which the original is in the N. M. Hist. Soc. archs. A great number of them may be found in Lib. of Cong. archs. There is also a broken file of the *Gaceta Extraord. del Gov. Imperial de Mexico*, initiated in January, 1823.

perial majesty to advance the funds to Serrano on the Chihuahua account, the same to be refunded in produce.[123]

Unfortunately for Serrano, the day before this reply was written to him a decree forwarded by the general commandant in Chihuahua had been received at Santa Fe, by which his majesty the emperor had sanctioned a "contribution" of 6,000,000 pesos to cover the deficit of the general government for the current year. The señor parochial curate of the capital was present on the 22d to assign to each *partido* the proper quota of this levy, and the next two days were fixed for carrying out this transaction. March 23d, by the way, was Palm Sunday; but the authorities probably considered this a very solemn matter.[124]

In view of the population and the number of houses, the apportionment made was as follows:

Partido of Santa Fe	5,300 p^{s} 3½ r^{s}
Partido of Alburquerque . . .	4,781 p^{s} 3½ r^{s}
Partido of S. Cruz de la Cañada . .	8,574 p^{s}
Partido of El Paso del Norte . . .	4,270 p^{s} 7 r^{s}

And the *ayuntamiento* of each county-seat was to apportion the respective amount to itself and its dependencies.

The *partidos* just noticed are explained by the records of January 4, 1823. On that day the Deputation proceeded to "designate and divide the lands and *partidos* which correspond to this Province." A careful discussion led to the following result:

On the north this Province recognizes as the dividing line the River Arcansas or Napeste at its respective streams, conjoining from this direction to the east with the territory of the United States of North America, the degrees being unknown through lack of information. On the south with the territory of Nueva Viscaya which, following the dividing line southwest, reaches the slopes of the Mimbras Sierra. On the west, Boquilla de Mogoyón to the boundary of the Moqui Pueblos, following north to the source of the Rio Grande which is in that direc-

[123] Lib. of Cong., *N. M. Archs.*, Serrano to governor, December 24, 1822; latter to Serrano, March 18, 1823.

[124] Attention is called to the participation of army and church in this and similar administrative matters.

tion.[125] On the east, the Senisos Hills, Pueblo of Jumanes,[126] following south by the Medanos who are on both hands, joining finally with the River of the North at the Presidio of Nueva Vizcaya of said name on the bank opposite the river and said Presidio.

The Province is divided into 4 proportionate *partidos* which divide all her population, and they are: the Capital Santa Fee which is recognized as their head; by el Vado de Pecos, Cochití, Xemes, and Alameda. Villa de Alburquerque which is recognized as head by the *Ayuntamientos* of Isleta, Tomé, Belem, Socorro, and Laguna. Villa de Santa Cruz de la Cañada which is recognized as head of 3 *Ayuntamientos*, which are S. Juan de los Cabayeros, Abiquiú, and Taos. Passo del rio del Norte, which is recognized as head by 2 *Ayuntamientos*, which are Isleta and San Lorenzo del Real.[127]

This decision was sent by mail to all the *ayuntamientos* so that they might know at what county-seats they should assemble for matters provided in the law of June 23, 1813.

The above action and also the special "contribution" previously noticed were based upon the census returns which had already been received. This matter had been placed in the hands of their secretary, and on December 21, 1822, Vigil reported to the Deputation his progress in the matter. The small number of property returns so far received made the resulting total very unsatisfactory. Accordingly it was agreed that without delay a circular should be sent to all the *ayuntamientos* except El Paso (whose statistical report was evidently complete), directing that a sworn statement should be taken from every individual to indicate clearly his holdings at the prices current in the Province. That the posts might not suffer delay, the alcaldes or carriers who should cause such detention were to be held responsible.[128]

[125] Now the Colorado River. It was sometimes called the "Great Colorado" to distinguish it from the other Colorado, now the Red River.

[126] Probably a mistake for "Jumanos."

[127] Fed. Land. O., *Legisl. Records.* The second Isleta was the pueblo situated below El Paso and founded after the insurrection of 1680. To distinguish from the Isleta below Alburquerque, it was often called "Isleta del Passo." The above quotation shows eighteen *ayuntamientos*, in name if not all of them in fact.

[128] Vigil was still "administrator of mails" as it was termed, in Santa Fe. At this same time he asked that postmen be named in every town so as to eliminate public delay and inconvenience. On January 3d this matter was called up again in

The statistical report had been completed by February 27, 1823, and it was then ordered sent by the next mail to the *General Comandante* at Chihuahua, to be forwarded by him to the most excellent captain general (at Durango), whose duty it was to "elevate" it to the supreme government.[129]

The only record found of educational interest during Vizcarra's term and since the Deputation's action in this regard, relates to El Paso. That *ayuntamiento* forwarded the proposal of one "Don Luis de Lujan" to establish a school of Spanish and Latin grammar in that villa. He offered to teach the children, looking to those interested to meet the costs. The Deputation approved the offer and directed the *ayuntamiento* carefully to supervise the school.

During the previous year the Navajos had committed many depredations, especially in the region of Sandía Mountain. In Colonel Vizcarra, however, the government had sent an efficient military chief and by February of this year he had forced them into peace negotiations. The Navajos restored captives, but they claimed to be dying of hunger and therefore unable to pay for past robberies. Vizcarra gave them four months to decide on conversion and settlement,[130] and the result will appear presently.

It will be remembered that Santa Anna proclaimed against the Empire on December 5, 1822. That revolt was now to produce a somewhat humiliating situation in New Mexico and especially for Vizcarra.

At a special session of the Deputation, called by President Vizcarra for the evening of March 26th, the secretary read certain documents which he, Vizcarra, had received from Colonel Don Gaspar de Ochoa, the general commandant in Chihuahua. The latter invited Vizcarra and the troop at his command to adhere to the agreement which General Echavarrí had proposed to the *ayuntamiento* of Vera Cruz.

the Deputation and two committees were appointed for "Up River" and "Down River" to decide the number needed at each point.

[129] V. note 124. Iturbide seems to have retained much of the Spanish viceregal organization, including the "burdensome Captain Generals."

[130] Lib. of Cong., *N. M. Archs.* V. Bancroft, 314, note.

The decision was, to assemble as quickly as possible the *ayuntamiento* of Santa Fe and other conspicuous persons, so as to arrange that, on April 1st at the latest, a special dispatch should leave for Mexico to assure the emperor that "this Province is not disposed to soil its hands with the vile stain of infidelity; that its people honor their solemn vows, wishing rather to be victims of tyrants than to agree in their anarchistic ideas." It was decided to have the meeting in the assembly hall of the Deputation on Holy Saturday at four in the afternoon with the attendance of the respected clergy.

In that gathering Vizcarra announced that he had arranged for his brother, recently arrived from the south, to go to Mexico with Don Santiago Abreú at their own expense, to place the papers in the hands of the emperor. This arrangement was agreed upon with a vote of appreciation.

Final action was taken upon the 31st and applauded by all — namely, a proclamation to the inhabitants of the Province warning them not to be seduced or perverted by the factious enemies of order and agents of tyrants.[131]

Alas, that such loyalty should have been in vain! On March 7, 1823, the Constituent Congress reconvened, in consequence of the movement started by Santa Anna; and on the 19th, Iturbide presented to them his abdication. On March 31st, a Council of three members with two alternates, headed by Nicolás Bravo, was made the "Supreme Executive Power"; and on April 7th, all acts of the government from May 19, 1822, to March 29, 1823, were declared illegal and subject to revision by Congress.[132]

This of course invalidated Vizcarra's tenure of office, which he had received from Emperor Iturbide; and in May, Ochoa called him to account for the recent demonstration, addressing him as "*Governador Interino* (acting governor)![133]

131 Fed. L. O., *Archs.* We have here another illustration of administrative intercourse: the gathering asked the illustrious ayuntamiento of the capital to direct the said manifesto to the *gefe político* (who was present!), so that he might order it circulated in the Province.

132 This Council was to serve until October 10, 1824.

133 Lib. of Cong., *N. M. Archs.*

But meanwhile the people in Santa Fe had heard on April 26th that Puebla and Durango had favored the revolution, and the mail of May 27th announced "the recent changes of government." Iturbide was no longer emperor. Annulled were the Plan of Iguala, the Treaty of Córdoba, and the decree of February 24, 1822, in so far as it prescribed the form of government. "Declared in force by the free will of the people" were the Three Guarantees of Religion, Independence, and Union.[134]

In special session on June 3d, Vizcarra asked the Deputation for their opinion before he should state to Colonel Ochoa his motives for not adhering to the Plan proposed in Vera Cruz by Echabarrí. Accordingly, the Deputation called a general council of the illustrious *ayuntamiento* of the capital, a committee of two from each *ayuntamiento* of the Province, also the curates of the villas, the parochial religious, clergy, and distinguished citizens; and these were present when the session was opened by the reading of the explanation as drafted by the governor.

The gist of his paper was that the Province had not been "prejudiced" in any respect: they had adhered to the then government, and would adhere to the present one. "With this object, and the council desiring to manifest their rejoicing, and that it might be general, the Deputation voted that, by reason of the conviction today received that national representation in the Sovereign Constituent Mexican Congress is recognized anew in this Province, it was fitting that all those who, in union with the Excellent Deputation, compose this Council should take the Solemn Oath to Sustain at every peril the Sovereign Congress now reëstablished: which oath both those of the council took and also a great number of intelligent people who were present, with the greatest demonstrations of joy; agreeing likewise that it should be announced to the populace by ringing of bells, salvos of artillery, a solemn *Te Deum*, and other demonstrations of jubilee."

Besides the signatures of Vizcarra, Chaves, and other *vo-*

[134] In the Plan of Iguala, "Union" had referred to the whole Spanish realm. Here it applies only to the Mexican Republic.

cales, many other signatures are affixed to the minutes of this Council. Manuel Armijo was there, José Frco. Leyva, also Antonio José Martinez who had recently returned after six years' absence in Durango. A special post was sent to the general commandant by an ensign and four troopers, and such a whole-hearted repentance must have been graciously received.

It is possible that the March change in the government saved New Mexico from paying their share of Iturbide's heavy assessment. It is certain that the suspension of the laws enabled them to annul the Bracito grant to the Anglo-American Juan Gid.[135] Learning from El Paso in June that the *ayuntamiento* there had given John G. Heath this tract, they formally censured the proceeding. The *ayuntamiento* had acted with violence and poor judgment in granting lands belonging to the community, thus prejudicing in high degree all their inhabitants. And moreover, as the law of colonization was then abrogated, and in order not to make itself liable for the damages which the stranger might claim if he should carry out his proposal of introducing families on this soil, the said *ayuntamiento* was to advise the aforesaid Heath through the United States plenipotentiary that the possession given him in *el Bracito* was by a mistake and poor understanding of the colonization law now abrogated, and that said lands therefore still pertained to the jurisdiction of El Paso.[136]

The Navajos had not improved their four months of grace, and on the same day that the above action was taken (June 17th) Colonel Vizcarra announced that he was next day to march against them with 1,000 or 1,500 of the Veteran Troop and the Provincial Militia, and that they might be absent for four or five months.[137] He therefore left in the *gefetura política*

[135] Already mentioned, note 15 *ante*.

[136] This was the only serious attempt (except one) on the part of Americans to get a footing in New Mexico by colonization. In the years 1828 to 1831 J. D. Bradburn was to make a similar attempt *via* Mexico City; and there was then some danger that Congress would "sell out" New Mexico.

[137] In April, 1823, the governor had declared it to be absolutely necessary to

and as president of the Deputation the first *vocal* of that body, Don Francisco X. Chaves.[138]

By a communication received from Mexico on June 27th, the public opinion of the Province was asked with reference to the best form of government, diverse views having appeared since the reinstallation of Congress; and on July 28th came a communication from Brigadier Don Antonio Lopez Santa Anna, enclosing another "Plan," which he had formed this time in San Luis Potosí The latter was disapproved by our Deputation, but experience had taught them caution, for they refrained from expressing themselves at this time in reply to either document.

Another proposal which was acted upon differently came from the Deputation of Durango. They proposed that a "fed-

organize the national militia as the only adequate way to save the Province from the aggressions of the vicious and from the incursions of the many barbarous nations which surrounded it. The Deputation therefore resolved to organize three regiments of 1,018 men each. From Vizcarra's statement given above, we see that this had been done, in part at least. We have a report on the New Mexico militia in a *Memoria* of November 8, 1823, secretary of state to Constituent Congress (Catron Library, Santa Fe). In a table giving the *Estado General de la Milicia*, we find for New Mexico:

	Bat-talions	Com-panies	No. of Plazas	Com-panies	No. of Plazas
Partido de la Capital.....	1	7	448	6	384
Partido de Alburquerque.....	1	6	384	7	448
Partido de la Cañada.....	1	6	384	7	448
		(Infantry)		(Cavalry)	

The note is added: "*La Milicia nacional del Nuevo Mexico no se halla aun arreglada al nuevo Reglamento* (is not yet adjusted to the new Organization)" (signed) Lucas Alemán.

The same *Memoria*, p. 57, states: "After this report was made out, there has been received from the province of N. Mex. news of the hostilities which the savage tribes are committing which infest that territory and which keep it continually in arms. And like trouble is feared in the province of Chihuahua," etc. Lib. of Cong., *N. M. Archs.*, under date December 31, 1822, there is a report from a "Volunteer Company of Cavalry" at Santa Cruz, but whether this was more an effort at self-protection locally is not apparent.

[138] V. Fed. L. O., *Archs.* Also a notice addressed to Frco X. Chaves, under date "Paso, July 15, 1823" and signed by Je Ygnacio Rascon and Jn Ma Ponce de Leon, Sec'y (probably of the El Paso *ayuntamiento*), recognized him as "*Gefe Polito Into*" in the absence of Vizcarra. Lib. of Cong., *N. M. Archs.*

erative State" be organized by the Provinces of Nueva Vizcaya, Sinaloa, Sonora, and New Mexico; and that two *vocales* from each Deputation, together with the military representatives designated by the general commandant, should meet at Chihuahua to effect such organization. Juan Bautista Vigil and Agapito Albo were the unanimous choice of our Deputation; and (as Vizcarra had been designated but was still occupied against the Navajos) that the acting governor, Sr. Chaves, should go "with the investiture of *Militar*." They were to start on August 8th, a special messenger being sent to notify Governor Vizcarra; and for the next two months Juan Estevan Pino, the second *vocal*, acted as governor in Santa Fe.

By a federal decree of May 21st a new Constituent Congress had been convoked, and towards the close of July the Deputation received a decree of June 17th which arranged for the necessary elections. The Province was called upon for one deputy; and article 18 of the convocation provided that the Deputation itself should be renewed. As it was their duty to supervise the arrangements and as the primary election was ordered for Sunday, August 3d, they asked the governor to notify all the pueblos immediately.[139]

Deputy Serrano, who had supported Iturbide in Mexico, was also to share his retirement, for the choice of the electoral junta fell upon José Rafael Alarid as deputy to the new Congress.[140]

[139] The law provided for these elections by means of primaries, secondaries, and *junta electoral*. The town primary was presided over by the *gefe político* or the *alcalde*, and chose representatives to the *junta de partido*. In New Mexico the four county councils (conventions?) should then meet one week later, elect the various *ayuntamientos* within each *partido*, and their representatives to the *junta electoral*. The last should then assemble in Santa Fe two weeks later and decide on successive days the deputy to Congress and the deputies of the Province, with their respective alternates.

[140] His alternate is not known. When Alarid received notice of his election, he was in Durango, and wrote for data on the matters to be looked after in Mexico. Congress had been in session for some months before he arrived: on July 14, 1824, he wrote that he had been unable to start until April 15th, but had taken his seat on May 19th. The Deputation had sent him instructions on February 19th, but he had received no further communication and his commission would expire shortly. Lib. of Cong., *N. M. Archs.*

On September 15th, the deputies of the Province [141] who had also been decided by this election, presented their credentials, took oath before the newly appointed governor, and assumed their seats. The retiring deputies harangued the new Deputation and then withdrew.[142]

[141] Members of the Prov. Deputation, September 15, 1823:

Vocales proprietarios:	*Suplentes:*
Antonio Ortiz	José Antonio Chaves
Pedro Garcia	Pedro Bautista Pino
José Francisco Baca	Matias Ortiz
Mariano de la Peña	
José Francisco Ortiz	*Sr. Cura Juan Tomas Terrazas*
Pedro José Perea	*Juan Estevan Pino (Col. Nat. Milit.)*
José Garcia de la Mora	*Juan Rafael Ortiz (Lieut.-Col. id.)*

[142] J. B. Vigil was a retiring deputy, but he was reëlected secretary by the Deputation. Only three (possibly four) alternates had been elected at this time; but on December 17th, complying with a federal decree of July 11th, the three others given in above list were chosen. These alternates are notable, including as they do two officers of the national militia, the curate of Santa Fe, and the two who had been elected deputies to the Spanish Cortes.

CHAPTER IV

NEW MEXICO BECOMES A TERRITORY

THE newly appointed governor who assumed office in September of 1823 was Don Bartolomé Baca, resident of El Paso, a former captain of militia, a retiring *suplente* of the Deputation, and now *gefe político* by appointment from Mexico City.

Col. José Antonio Vizcarra continued as *gefe militar*, but shortly afterwards he became instead the first *comandante de armas* of New Mexico.[143]

The Navajos were not yet suppressed and Vizcarra was still in the field against them.[144] But in October the alcaldes of Xemes and Laguna reported that the Navajos had come to those points asking for peace. In order that the Deputation might have the opinion of the whole Province, one alcalde, two aldermen, and the attorney of each *ayuntamiento* were notified to assemble in Santa Fe on October 21st, that they might decide whether the ungrateful and inconstant Navajo tribe should have peace or continued war.

In that gathering they had before them the opinion of Colonel Vizcarra which he had forwarded in writing.[145] Some of the council were for war, but the final decision was for peace "in view of their religion, the interests of the inhabitants, and in order to test the good faith of the Navajos." They also decided that the governor was the proper one to treat with them. The Navajos showed that they were in earnest, since

[143] White, *Land Laws*, I, 672.

[144] On September 17th also, a force of 300 men was ordered to the Valverde region for two or three weeks — probably against the Apaches.

[145] Among the military records (enlistment papers, etc.) is found the statement that in the campaign against the Navajos of June-August, 1823, under Colonel Vizcarra, they had killed ninety and taken thirty-six prisoners of both sexes. Lib. of Cong., *N. M. Archs.*

the peace negotiations had a successful issue four weeks later.[146]

Not until February 13, 1824, did our Province learn the form of government which had been decided upon by the nation. It will be remembered that New Mexico had been asked during the preceding summer for an expression in this matter. Finally, on December 17th, after long and careful consideration, our Deputation voted for a system of popular government upon the basis of a firm and well-adapted federal republic; and in February, Deputy Alarid reported that such was the general desire of the country.[147]

The Constitutive Act of the Federation as decreed on January 31, 1824, made Durango, Chihuahua, and New Mexico the "Internal State of the North," following the plan proposed by Durango in the preceding July.[148] A decree of February 4th allotted the number of deputies for their State Legislature: five each to Durango and Chihuahua, and only one to New Mexico. Chihuahua was made the temporary capital, final decision being left to their own Legislature.

Although she asked for two additional representatives, New Mexico accepted the plan as a whole and proceeded to arrange for the necessary elections. The primaries were set for Sunday, March 21st; those of the *partidos* for the following Sunday; and the electoral junta was to open on April 6th. But on March 31st their indignation was aroused by learning from Chihuahua that Durango objected to that city as the capital

[146] Yet a year later (December 13, 1824) José Antonio Valberde wrote from Xemes that the Navajos were doing much damage. They had forced their way into houses, and had lately stolen cattle from Santa Ana, but they had not been pursued because of bad weather. Lib. of Cong., *N. M. Archs.* They were active again in April, 1825 (*id.*).

[147] On October 15, 1823, the Deputation placed in its archives a copy of the Constitution of the United States of the north. This had been reprinted in Mexico by order of the supreme government and distributed to all the Provinces. This shows that for over a year the Mexicans were modelling their government after that of their northern neighbor, a fact which is explicitly stated in the long introduction with which the Constitution of 1824 was promulgated.

[148] White, *Land Laws*, I, 375. Catron Lib., *La Acta Constitutiva.* Dublan y Lozano, *Compilación* (under date).

and therefore that there was danger of the arrangement failing.

In reply to Chihuahua, our Deputation explained that they felt that they should have been assigned more representatives in view of their situation next the United States and also as Sonora, Sinaloa, and the Californias had been made States; but they had felt that it would be inexcusable to disturb a law already sanctioned. They showed themselves thoroughly incensed at the prejudices of the *Durangenses*, and charged the latter with an arrogance due to their having greater population, the episcopal see, the cathedral, and other establishments of little service in the past or in the present to the other internal Provinces. "Durango has considered her own interests; and of some of them it can be said that their encouragement does not comport well with republican virtues, opposed as the latter are to the establishment of bull-rings and cockpits — examples of which are so abundant in that city."[149] The matter was settled by Durango becoming a State on May 22d; and on July 6th Chihuahua was made a State and New Mexico a Territory.[150]

But meanwhile, the election of April 6th had resulted in the choice of Juan Bautista Vigil as deputy to Chihuahua, with Manuel Armijo as his alternate. In the session of April 12th, the Señor President stated that the law required Deputy Vigil to leave at once for Chihuahua, and that he himself was obliged to apportion the 1,000 pesos which he considered adequate for the journey. He had prepared a list of assessments on individuals of means so as to cover that amount. When this list was read, Antonio Ortiz and José Francisco Baca protested. The latter said that the only object for which the representatives would go was that, in the capital where they gathered, there should be a circulation of cash! The president interrupted him sharply, saying that such language was scandalous.

[149] Fed. Land O., *archs.* This would suggest that the bull-ring of the Spaniards in Santa Fe had been gone for a good many years. V. map of Santa Fe, State Museum in Santa Fe.

[150] Dublan y Lozano, *Compilación.*

The Deputation immediately approved the list as presented by the president, the more readily as the assessment was a trivial twenty-five pesos on individuals of the first class, and ten pesos on those of the second.[151]

The *Partido* of El Passo had been separated from our Province by a law of July 19, 1823, the details of which are not known. On April 17, 1824, an order was directed by the Provincial Deputation to the *ayuntamiento* of El Passo to the effect that the citizens of that *partido* should abstain from making any use of the lands and timber pertaining to New Mexico. Further protest was made on July 30th, the region in dispute apparently being the whole fertile region lying between El Paso and the Jornada del Muerto.

But a federal decree, dated six days earlier than this second protest, fixed the northern boundary of the State of Chihuahua by a line passing directly east and west from El Paso so as to include that place "and the region over which it had always had jurisdiction." This region was later asserted by Chihuahua to extend north to the Jornada del Muerto, the line passing north of Robledo. This took in the country as far north as the Sacramento Mountains and of course included El Bracito.[152]

About this same time the people and authorities in New Mexico began to give serious attention to the possible advantages of encouraging the intercourse with the United States. During the spring of 1824 the governor sent a special messenger to Council Bluffs to apprise the commandant of that post that he should arrive there on or before June 10th with 1,500 men. His object was to impress the Indians between Santa Fe and Franklin, Missouri, to secure trade, and to facil-

[151] Fed. Land O., *Archives.*

[152] Reynolds, *Span. & Mex. Land Laws*, 132, quot. Chih. St. law of May 26, 1825. Perhaps El Paso had resented the censure in regard to the Bracito grant, but, in any case, El Paso was nearer to Chihuahua than to Santa Fe and the former was her natural market. Her interests were really distinct from those of the rest of the Province. In fact, the new arrangement was better for her and did not seriously affect New Mexico, though it made our Province seem more isolated than ever from the rest of the nation.

itate intercourse between the two countries.[153] We learn from the minutes of the Deputation that a general council was called for June 15th to consider this proposed expedition to the "Fort of the Misuri," and also that certain Comanche allies were awaiting the auxiliaries which the governor had promised.

In the *Missouri Intelligencer* for September 25, 1824, appeared the following paragraph: "An interesting event of the year 1824 was an expedition of twenty-six Spaniards from Santa Fe to Council Bluffs, where, with the aid of Major O'Fallon, Indian Agent, they concluded a treaty with the Pawnees who at that time were the scourge of the traders in the territory of both governments. The Spaniards were greatly pleased with the attentions shown them by Major O'Fallon. They left for Santa Fe on the 11th of August."[154]

The advisory council in Santa Fe decided, we should judge, that a small troop would be more practical and efficient than the force of 1,500 men which had been Governor Baca's idea. And although Baca did not go himself, yet Storrs, who was in the caravan of that year, says that Governor Baca invested $1,500 in goods, from which he expected to realize a good profit in the Chihuahua trade.[155] The caravan mentioned seems to have left Santa Fe two or three weeks after the expeditionary troop and to have made the journey in two months.[156]

Further effort to ensure safety along this line of communication was made the following year. Don Manuel Simón de Escudero of Chihuahua was in Santa Fe on June 9, 1825, on his way to the States, and Governor Baca asked him to accept a commission to treat with the authorities there for the better protection of the promising trade between the two countries. Sr. Escudero accordingly conferred with the United States Commissioner of Indian Affairs at St. Louis, and then went

[153] *Niles' Weekly Register*, June 10, 1824.

[154] Chittenden, *Hist. Amer. Fur Trade of Far West*, ii, 507, quot.

[155] *Niles' Weekly Register*, January 15, 1825. According to the dates given, they must have made the trip east in five or six weeks.

[156] Lib. of Cong., *N. M. Archs.*, letter, O'Fallon at Fort Atkinson (Council Bluffs), September 9, 1824, to the governor of New Mexico, acknowledging one from latter under date July 7th, sent by Sr. Gonzales *et al.*

on to Washington. There the Mexican *chargé* helped him to secure favorable assurances of coöperation from the United States government.[157]

Another expedition of the year 1824 was that of the Patties, father and son, who reached Santa Fe on November 5th. At the same time we find Becknell making a journey far to the west of Santa Fe. He left Santa Cruz (de la Cañada) on the same day that the Patties reached Santa Fe, and with nine other men he went as far as the Green River, or Colorado of the West. From that time on, there were frequent expeditions to those parts by traders and trappers.

In view of the commercial opportunities thus offered them, it is small wonder that minds on both sides of the great prairies were stimulated. The people of our Territory quickly learned to await the coming of the caravans with eager anticipation. The goods thus received were much cheaper and far better in quality than those received by the longer southern route through Mexico. The Americans at the same time made a handsome profit, and the news of this "Commerce of the Prairies" quickly spread.

Remembering that as yet the Mexican Republic had not even its Constitution, it is not strange that customs regulations were indefinite. And at the same time, if the Territory saw no danger in their commercial dependence on the neighboring Republic which was thus beginning, how much less clearly did the federal authorities far to the south appreciate the needs of the case. Only the wisest of handling would save this border Territory from commercial conquest and final absorption by the rival Republic. Instead, these years were to see a long succession of conflicting interests, personal and factional, which were to make any wise and stable policy impossible.

[157] *Niles' Weekly Register*, October 8, 1825; "*Pino*," 75-6. These negotiations seem to have been conducted independently of the national authorities of Mexico. The Washington authorities appointed G. O. Sibley as commissioner to negotiate for the road as planned by the House of Representatives, from the frontier to Santa Fe. But Narbona, who was governor in Santa Fe at that time, could only notify Commissioner Sibley that he had had no communication on the matter from his government. Lib. of Cong., *N. M. Archs.*, November 18, 1825.

This uncertainty was to be an unceasing vexation to the prairie commerce, and its work was already evident in 1824. A federal decree of May 20th, prohibited the importation of various articles of merchandise which the New Mexicans could have secured best through this trade; and during the summer Governor Baca told the Americans that probably thereafter the duty on imports would be fifty per cent.[158] Augustus Storrs wrote to Senator Benton in Washington: "The certain object of this increase is to place their commerce from the south on a more equal footing with that of the Americans, and the measure, I have no doubt, is strongly urged by a few who have hitherto monopolized the sales and fixed the prices of the country."

Senator Benton of Missouri had sought information from Storrs with reference to this incipient commerce, and one of the questions which he submitted was: "Are the inhabitants of the internal provinces favorable to the continuation of this commerce?" Storrs answered, "The affirmative of this question is beyond a doubt. Their professions of respect for our national character and of attachment to our principles are universal; and their actions are a sufficient proof of sincerity. The door of hospitality is opened with a cheerful welcome, and every office of friendship and kindness which might be expected from intimate acquaintance is voluntarily proffered by a stranger. In all their principal towns, the arrival of the Americans is a source of pleasure, and the evening is dedicated to dancing and festivity. Almost without exception likewise they denounce the duty as an act of injustice and extortion, and openly lavish their censure upon its authors."[159]

A number of minor records gathered from the minutes of the Territorial Deputation reveal a varied range in which that body exercised legislative and appointive powers in these years.

After Vigil was elected deputy to Chihuahua, Francisco

[158] Dub. y Loz., *Comp. Niles' Weekly Register.*

[159] *Niles' Weekly Register*, January 15, 1825. Storrs became the first United States consul in Santa Fe, spring of 1825.

Baca of their own number was placed in charge of the Santa Fe postoffice.[160]

In July of 1824, certain road repairs were ordered.

During October, an American citizen, James Beard, who had aided in the late trouble with the barbarous tribes, applied for naturalization, and his petition was sent on to Mexico with their approval.

In August of this year and frequently thereafter are found the records of land-grants made by the Deputation, some of them of great importance.[161]

In May, 1824, Padre Antonio José Martinez had been transferred from the curacy of Tomé to that of Abiquiú. In June he requested the Deputation to take steps to have the mission of Taos secularized because of the limited number of religious, and he asked that he be given the cure of souls there, as he was native of that place. Also in view of the business carried on by that *ayuntamiento*, he asked that the town be granted the title of "Villa."

Martinez did become curate of Taos in July but what part the Deputation had in this change is not clear. However, a committee was appointed in August to report on what missions ought to be secularized, together with any facts which would throw light on the subject. When this committee reported that they were entirely without authority in the matter, the Deputation prepared representations to the bishop, asking that he would be pleased to see that the missions of Taos, San Juan, Abiquiú, Belen, and Bado be secularized, since they were well fitted to be curacies; and further that he see that they be provided with curates. The result will appear later.[162]

Not until August of 1824 (and then through Deputy Vigil in Chihuahua) did the Deputation in Santa Fe learn that their representative in Congress had made the arbitrary proposal

[160] Fed. L. O., *archs.* On July 18, 1824, Baca complained that some of the deputies delayed the outgoing mails. They agreed to have their correspondence in the office without fail by the 15th and the 27th of each month.

[161] It is for this reason that the legislative records of 1822 to 1846 are now kept so carefully in the safe of the Federal Land Office in Santa Fe.

[162] Fed. L. O., August 16, 1824.

that New Mexico be made a Territory. Although this was unexpected, they decided after discussion that it was for their best interests. It had, in fact and as already stated, been so decreed in July; and it was so provided in the Constitution which was at last completed and issued on October 4, 1824.[163]

Another decree issued two days later by the "National Sovereignty" ordered a fitting celebration.[164] These documents together with the directions given by the supreme executive power prescribing the formalities and ceremonies with which the ratification of the Constitution was to be effected were read in the Deputation on December 19th. "When the reading was finished, the Most Excellent Territorial Deputation took the proper oath in the hands of the Sr. Gefe Político, with the greatest effusion of heart and in the presence of a large number of people who, despite the severe weather, gathered to attend an act as acceptable as it was solemn. The occasion ended with the reading of the elegant manifesto of the General Congress to the Mexican people." [165]

We have seen the interest which Governor Baca took in the commerce across the eastern plains. While they were expecting New Mexico to be made a subordinate part of the Internal State of the North, and at the time when Baca was arranging for the expedition to Council Bluffs, he tried to resign the office of *gefe político*. On June 14, 1824 (the day before the advisory council in Santa Fe), he wrote to Chihuahua asking to be relieved, but the authorities there replied that there would be delay until the State government should be installed. A few weeks later however, when they learned that they were to be a Territory, Baca's signature appears on a communica-

[163] The most marked point of divergence from the United States Constitution which, according to their own declaration, the Mexican Congress used as a model, is found in I, 3: "The religion of the Mexican Nation shall perpetually remain the Roman Catholic and Apostolic. The nation protects it by wise and just laws and prohibits the exercise of every other." V. Dub. y Loz., *Comp.*

[164] These papers must have reached Santa Fe by the first mail of December or by special courier. Cañada held this celebration on December 17th. Lib. of Cong., *N. M. Archs.*, report by Mariano Chavez.

[165] Fed. Land. O., *Archs.*

tion sent by the Deputation to Guadalupe Victoria, expressing their satisfaction in the new arrangement and assuring him of their loyalty.[166]

Victoria was the first president under the new Federal Republic, and during the four and a half years that he held office the Mexican people were to experience the most settled period of these twenty-five years. With the more satisfactory arrangement also for New Mexico, Governor Baca was content to finish his term in office and nothing more was heard of his resigning.

[166] Lib. of Cong., *N. M. Archs.*, June 14, 1824; August 16, 1824.

THE TAOS REBELLION

E. Bennett Burton

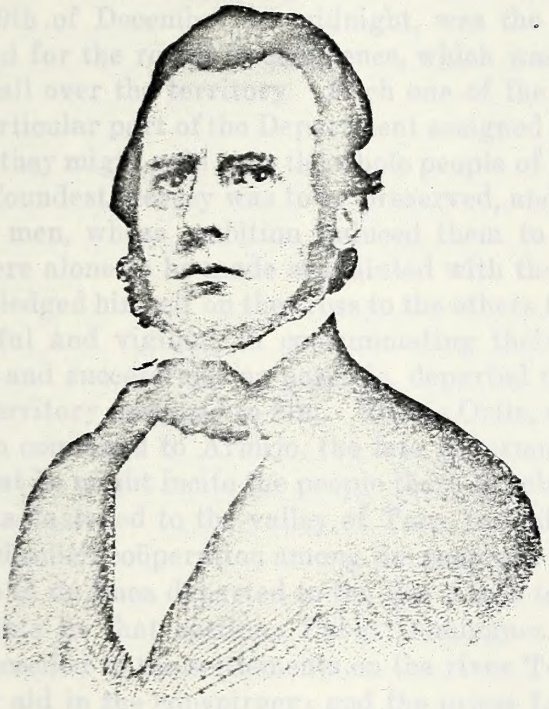
In the history of New Mexico, it is recorded that its conquest by the American army under Brigadier General Stephen W. Kearny was accomplished "without the firing of a shot or the shedding of a single drop of blood."[1]

While this statement is in no sense misleading, still it does not follow that the corrupt or cowardly action of General Manuel Armijo, in his surrender of the Department, was sustained by Mexican opinion at the time. It is true that quite a number of prominent Mexican families welcomed this change in sovereignty, believing such to be the inevitable outcome of American advancement; still there were a number of very prominent men in Santa Fe and elsewhere throughout the Department, who were opposed to American institutions, and unwilling to thus submit without some effort looking to a restoration of the Mexican government.

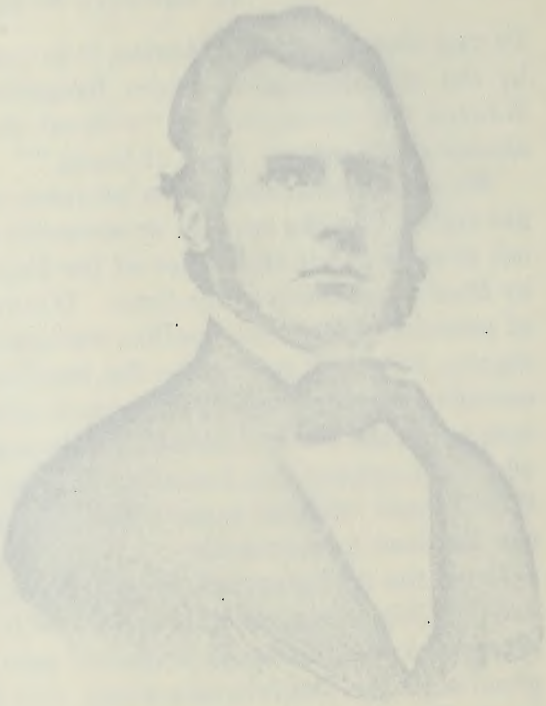
Upon the departure of Colonel Doniphan with his command for the Chihuahua campaign, Colonel Sterling Price, who was afterward commissioned brigadier general, and later a major general in the Confederate army, was placed in command at Santa Fe. About the first of December, 1846, the most distinguished of the malcontents began to hold secret cabals and consultations, and to plot the overthrow of the existing government. Frequent gatherings in some retired room in the capital, or on the flat top of a vacant house, resulted in the formation of a scheme for the massacre of the Americans, their sympathizers, the establishment of a new government, and installation of new governors. The leaders[2] of this dark and desper-

[1] Report of Gen. S. W. Kearny, *Ex. Doc.* No. 6.

[2] The prominent citizens first identified with the conspiracy against the American government at Santa Fe, were Don Diego Archuleta, Don Tomás Ortiz, Don Domingo C. De Baca, Don Miguel E. Pino, Don Nicolas Pino, Don Manuel Chaves.



STERLING PRICE
[Reprint from Hughes's Doniphan expedition]



ate conspiracy were aspirants to office and power. Don Tomás Ortiz was to be made governor of the Province, and Don Diego Archuleta was to be the commanding general; all the men involved in the conspiracy were of great and restless ambition, and expectants of office after the favorable issue of their plans for which they confidently hoped.[3]

The 19th of December, at midnight, was the time at first appointed for the revolt to commence, which was to be simultaneous all over the territory. Each one of the conspirators had a particular part of the Department assigned to him, to the end that they might gain over the whole people of the Province. The profoundest secrecy was to be preserved, and the most influential men, whose ambition induced them to seek preferment, were alone to be made acquainted with the plot. Each having pledged himself on the cross to the others that he would be faithful and vigilant in consummating their designs, as speedily and successfully as possible, departed to the section of the Territory assigned to him. Tomás Ortiz, who had been second in command to Armijo, the late governor, went to El Bado, that he might incite the people there to rebellion; Diego Archuleta hastened to the valley of Taos, to make known the plans and solicit coöperation among the people in that quarter; Domingo C. de Baca departed to the Rio Abajo to interest the malcontents in that section; Pablo Dominguez and Miguel Pino proceeded to the settlements on the river Tesuque to enlist their aid in the conspiracy; and the priest Leyba went to San Miguel and Las Vegas to propose to the people there to join in the insurrection.

Don Santiago Armijo, Don Agustin Duran, Don Pablo Dominguez, Don José Maria Sanches, Don Antonio Maria Trujillo, Don Santiago Martinez, Don Pascual Martinez, Don Vicente Martinez, Don Antonio Ortiz, of Arroyo Seco, Don Facundo Pino, Fr. Antonio José Martinez, Fr. Leyba, and the vicario, Juan Felipe Ortiz. The vicario, Juan Felipe Ortiz, and Tomás Ortiz were brothers, and were direct descendants of Captain Francisco Ortiz Niño Ladron de Guevarra.

[3] The efforts on the part of certain people in New Mexico to drive out the Americans were fully understood and sanctioned by the Mexican government. This fact is recognized by the stipulations contained in the treaty of Guadalupe Hidalgo giving Mexican citizens the choice of remaining such during one year after the signing of the treaty. *Territory v. Carter. First New Mexico Reports.*

The amount of influence the leaders were able to bring to bear upon the people can be better understood when it is remembered that the vicario, Ortiz, stood at the head of the Church, next to the bishop, whose seat was in Durango; and second to the vicario Ortiz only was the priest, Fr. Antonio José Martinez, who was undoubtedly one of the strongest men, intellectually, in New Mexico at that time. Neither military officers, nor civil officials, representing the United States in New Mexico during that period of unrest, were ever able to obtain proof that the churchmen took an active part in the formation of the conspiracy to oust the hated invader, but in later years, Don Diego Archuleta and the Pino brothers admitted that they had in fact assisted with their presence and counsel.

For the more certain success of the revolution, the conspirators met in secret conclave in the capital, on the night of the 15th of December, to consult, mature their plans, and arrange the method of attack. Don José Maria Sanchez, when apprehended and brought before the tribunal, testified that Don Diego Archuleta commenced the discourse with: "I make the motion that there be an act to nominate a governor and a commander-general, and I would nominate Tomás Ortiz for the first office, and Diego Archuleta for the second." This motion was unanimously carried, and the act signed by every individual present. After this was concluded, they discussed the method of surprising the government at Santa Fe, taking possession of the palace, and decided upon the following plan: "On Saturday evening, the 19th of December, all were to assemble with their men at the parish church. Having divided themselves into several parties, they were to sally forth, some to seize the pieces of artillery, others to go to the quarters of the colonel, and others to the palace of the Governor, (if he should be there) and if not, to send an order to Taos to seize him, because he would give the most trouble. This act was also agreed to by all. The sound of the church bell was to be the signal for the assault by the forces concealed in the church, and those which Don Diego Archuleta should have brought

near the city — midnight was the time agreed upon, when all were to enter the 'plaza' at the same moment, seize the pieces of artillery and point them into the streets. The meeting now dissolved."

Owing to the lack of organization and the immatured character of the conspiracy, it was decided to suspend the attack for a few days, and fix upon Christmas-eve for the assault, when the soldiers and garrison would be indulging in wine and feasting, and scattered through the city at the fandangos, and without their arms. All the Americans, without exception, throughout the Territory, and such New Mexicans as had favored the American government, or had accepted office by appointment of General Kearny, were to be massacred or driven from the country, and the conspirators were to seize upon and occupy the government. This first attempt was crushed, however, in this way: The wife of one of the conspirators, having by degrees obtained a knowledge of the projected insurrection, and dreading the effusion of blood which would inevitably result, communicated her information to Colonel Price, warning him of the need of the utmost vigilance. Some of the leaders were apprehended and confessed, and the rebellion suppressed.[4]

[4] The story of the escape of Don Tomás Ortiz is told in Twitchell's *Military Occupation of New Mexico*, as related by Doña Isabel Cabeza de Baca, widow of Don José D. Sena, and daughter of Josefa Ortiz, a sister of Don Tomás Ortiz, the leader of the conspiracy:

"The soldiers came to the house of the Vicario, Juan Felipe Ortiz, looking for his brother, Don Tomás, but failed to find him. He was at the time hiding on a balcony facing the garden of the Vicar-General, and after the departure of the soldiers, was taken from the balcony, dressed as a servant girl, and lifted with ropes to the roof of the chapel on the right-hand side of the cathedral, and one Pedro Trujillo carried him on his back to the house of Doña Peregrina, who lived on the Arroyo Sais, where two of the best horses to be obtained were waiting; on the way they met with some soldiers, who asked Trujillo whom he was carrying, to which he replied that it was his daughter, who was very sick. Upon reaching the house of Doña Peregrina, Ortiz was provided with a water jar, and with it upon his head, proceeded down the arroyo, evidently going for water. He was met by soldiers, who asked if 'she' knew where lived a woman named Peregrina and if so, whether Tomás Ortiz was at her house, Ortiz replied 'yes' and pointing to the house, said, 'Ortiz is there in the kitchen now.' The soldiers then proceeded to the house, and Ortiz, picking up his skirts and throwing them over hs shoulder, ran

After the failure of this first effort, quiet was restored, but only for a very brief time. The leaders who had not been apprehended, who had not been identified with the first movement, and therefore remained in the Territory, were loath to see the Americans remain in power; they were ambitious of seeing their own government restored and began almost at once to incite the people to another attempt to kill the Americans and their sympathizers, or drive them out of the Territory, and with the experience gained through the first attempt the most profound secrecy was enforced upon all participants in the second conspiracy. To all appearances absolute peace and quiet reigned throughout the Territory, yet the revolutionists were daily adding to their number groups of intensely earnest and determined men. It is claimed that even the priests aided and abetted the people in their efforts to arm and equip themselves for an effective and final overthrow of the invaders, and on the 19th of January the rebellion broke out with frightful results, in several parts of the Territory.

On the 14th of January, Governor Charles Bent,[5] attended

down toward the river. Two Mexican women, seeing him, shouted to the soldiers, 'Haya va Tomás Ortiz, Gringos pendejos!' Ortiz reached the river, where with his friend, Trujillo, he mounted his horse and was soon lost to sight on his way to Galisteo, where he joined Don Francisco Ortiz y Tafoya, who had been sent to Galisteo by the Vicario with fresh horses, money and provisions for his flight to Chihuahua.''

[5] Twitchell's *Military Occupation, 1846-51.* Before leaving Santa Fe for Taos, Governor Bent issued a proclamation urging the people to accept the new order peaceably and quietly, among other things declaring: ''You are now governed by new statutory laws and you also have the free government promised to you. Do not abuse the great liberty which is vouchsafed you by it, so you may gather the abundant fruits which await you in the future. Those who are blindly opposed, as well as those whose vices have made them notorious, and the ambitious persons who aspire to the best offices, also those persons who dream that mankind should bow to their whims, having become satisfied that they cannot find employment in the offices which are usually given to men of probity and honesty, exasperated (Thomas Ortiz and the old revolutionist, Diego Archuleta) have come forth as leaders of a revolution against the present government. They held a meeting in this Capital about the middle of last month, which was also attended by some foolish and imprudent men who were urged to follow the standard of rebellion. Their treason was discovered in time and smothered at its birth. Now they are wandering about and hiding from people, thereby causing uneasiness, and they still hold to their ruinous plans. . . There is still another pretext with which they want to alarm

by an escort of five persons, among whom were the sheriff, circuit attorney, and the prefect, left Santa Fe and proceeded to Taos, with the intention of removing the family of Governor Bent to the capital.

Governor Bent was one of the least alarmed men in the country. The native inhabitants, especially those of Santa Fe and Taos counties, had always professed the warmest admiration and friendship for him and his family and friends, and he had treated them all with kindly consideration and generosity. Consequently, upon his arrival at his home in Taos, on January 18th, he paid little attention to the alarming reports of the state of affairs or to the urgent request of his friends that he remove his family to Santa Fe at once. "Why should they want to kill me or my family?" he asked. "Have I not been their friend? Have I not supplied them with medicines when they were ill, with food when they were hungry, with clothing when they needed it? Have no fears for me. I will depart with my family in good time."

But Governor Bent had misjudged the temper of the people and the influence of the treacherous men who had professed such friendship. Early on the morning of January 19th, while the people of Taos were still in their beds asleep, the insurrectionists, many entering the town quietly from the surrounding country and joining forces with those of their fellow-conspirators who resided in the plaza, began the attack. The night was cold and the ground was covered with snow, but as soon as the discharge of firearms was heard the sleeping inhabitants started to flee in alarm, clad only in their nightclothes. This panic soon ended, however, and preparations for defense were begun.

you and that is the falsehood that troops are coming from the interior in order to re-conquer the country. What help could the department of Chihuahua, which is torn by factions and reduced to insignificance, afford you? Certainly none. . . I urge you to turn a deaf ear to such false doctrines and to remain quiet, attending to your domestic affairs, so that you may enjoy under the law, all the blessings of peace, and by rallying around the government, call attention to the improvements which you deem material to the advancement of the country and that by so doing you may enjoy all the prosperity which your best friend wishes you."

The massacre at Taos was under the leadership of Pablo Montoya and Tomasito, a Taos Indian, the last named, with a murderous band, going to the home of Governor Bent and while engaging him in conversation through the closed door, fired, striking him in the chin and stomach. The door was then broken in and the Indians filled the body of the fallen man with arrows, three of which he pulled from his head and face as he lay prostrate. As the Indians were slashing his wrists and hands with their knives and axes, a Mexican named Buenaventura Lobato entered the room and seeing what they were doing, cried: "I did not tell you to kill him, but only to take him prisoner!" Lobato, in a public speech, afterward admitted his local leadership in the uprising. Governor Bent was scalped before he died.

In the meantime, seeing that resistance was useless, Mrs. Boggs, wife of Thomas Boggs, Mrs. Carson and Mrs. Bent, all members of the governor's household, began to dig a hole in the adobe wall of the room, using an iron spoon for the purpose, hoping to enable the governor to make his escape. Though too late to save him, they were able to make their own way into the adjoining house. They were pursued, and Mrs. Boggs and Mrs. Carson[6] begged on their knees that the assailants spare the lives of Mrs. Bent and her children. This the murderers permitted, and the three women and the Bent children escaped to the home of Mrs. Juana Catalina Valdez-Lobato, where they remained until the arrival of the troops from Santa Fe fifteen days later.

Upon the outbreak of the massacre, the remaining Americans hid themselves in the most convenient places. Pablo Jaramillo, Mrs. Bent's brother, and Narciso Beaubien, a son

[6] Mrs. Kit Carson was Josefa Jaramillo. They had three children: Teresina, who married DeWitt F. Allen; Kit Carson, Jr.; and Josefita Carson. Mrs. Carson was the fourth child of Apolonia Vigil and Francisco Jaramillo. Her mother was the daughter of Don Pedro José Montes Vigil de Santillanes, the second son of Captain Pedro Montes Vigil de Santillanes, a soldier under General De Vargas. Her sister was the widow of Don Rafael Luna when she married Governor Charles Bent. The wife of Thomas Boggs was Rumalda Luna, a daughter of Mrs. Bent by her marriage with Rafael Luna.

of Charles Beaubien and one of the most highly educated and promising young men of New Mexico, buried themselves underneath some straw and refuse at the rear of the house, but were discovered and their bodies lanced through and through, after which the house was destroyed by fire. Among the others who were murdered were Louis Lee, who was acting as sheriff at the time; Cornelio Vigil, prefect and probate judge of Taos county and an uncle of Mrs. Bent; and J. W. Leal, a lawyer.

After concluding their bloody work at Taos, the insurgents then proceeded to the Arroyo Hondo, where, at Turley's Mill, in a very thrilling account given by G. F. Ruxton in his *Travels in Mexico*,[7] he says there were eight white men,[8] two of whom

[7] Ruxton, G. F., *Travels in Mexico*, pp. 227-229: "There were in the house at the time of the attack, eight white men, including Americans, French-Canadians, and one or two Englishmen, with plenty of arms and ammunition. Turley had been warned of the intended insurrection, but had treated the report with indifference and neglect, until one morning a man named Otterbees, in the employ of Turley, and who had been despatched to Santa Fe with several mule-loads of whiskey a few days before, made his appearance at the gate on horseback, and, hastily informing the inmates of the mill that the New Mexicans had risen and massacred Governor Bent and other Americans, galloped off. Even then Turley felt assured that he would not be molested, but, at the solicitations of his men agreed to close the gate of the yard round which were the buildings of the mill and distillery, and make preparations for defense.

"A few hours after a large crowd of Mexicans and Pueblo Indians made their appearance, all armed with guns and bows and arrows, and, advancing with a white flag, summoned Turley to surrender his house and the Americans in it, guaranteeing that his own life should be saved, but that every other American in the valley of Taos had to be destroyed; that the governor and all the Americans at Fernandez and the Rancho had been killed, and that not one was to be left alive in all New Mexico. To this summons Turley answered that he would never surrender his house nor his men, and that, if they wanted it or them, 'they must take them.'

"The enemy then drew off and after a short consultation commenced the attack. The first day they numbered about five hundred, but the crowd was hourly augmented by the arrival of parties of Indians from more distant pueblos, and of New Mexicans from Fernandez, La Cañada, and other places.

"The building lay at the foot of a gradual slope in the sierra, which was covered with cedar-bushes. In front ran the stream of Arroyo Hondo, about twenty

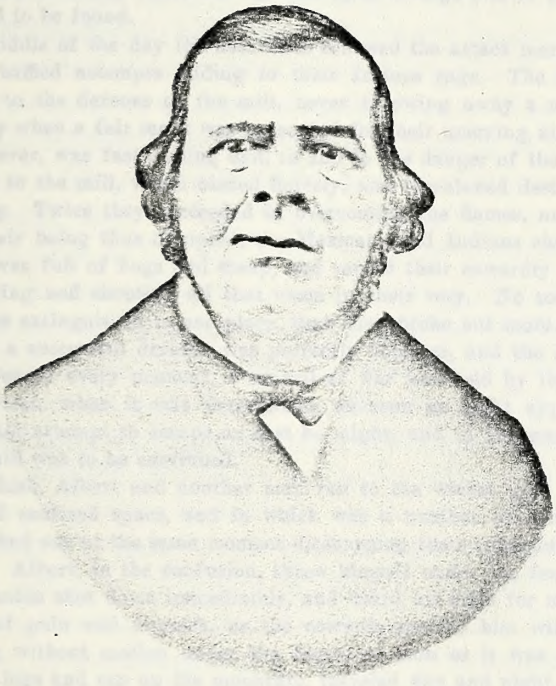
[8] Simeon Turley came to New Mexico many years before the Mexican War. He had also a brother and two nephews in New Mexico, all of whom came from within eight miles of Old Franklin, Mo., the eastern terminus of the Santa Fe Trail. The Turleys are buried either at Santa Fe or Taos, most likely in the latter place.

escaped to Santa Fe in safety. Mrs. Aloys Scheurich, of Taos, a daughter of Governor Bent and an eye-witness to these thrilling scenes, says that Stephen Lee, a brother of Louis Lee who was killed, walked all the way to Santa Fe to inform

yards from one side of the square, and on the other side was broken ground, which rose abruptly and formed the bank of the ravine. In the rear, and behind the still-house, was some garden ground inclosed by a small fence, and into which a small wicket gate opened from the corral. As soon as the attack was determined upon, the assailants broke, and, scattering, concealed themselves under cover of the rocks and bushes which surrounded the house. From these they kept up an incessant fire upon every exposed portion of the building where they saw the Americans preparing for defense. They, on their part, were not idle; not a man but what was an old mountaineer, and each had his trusty rifle, with a good store of ammunition. Wherever one of the assailants exposed a hand-breadth of his person, there whistled a ball from an unerring barrel. The windows had been blockaded, loop-holes being left to fire through, and through these a lively fire was maintained. Already several of the enemy had bitten the dust, and parties were constantly seen bearing off the wounded up the banks of the Cañada. Darkness came on, and during the night a continued fire was kept up on the mill, while its defenders, reserving their ammunition, kept their posts with stern and silent determination. The night was spent in running balls, cutting patches, and completing the defenses of the building. In the morning the fight was renewed, and it was found that the Mexicans had effected a lodgment in a part of the stables, which were separated from the other portion of the building, and between which was an open space of a few feet. The assailants, during the night, had sought to break down the wall and thus enter the main building, but the strength of the adobes and logs of which it was composed resisted effectually all their attempts.

"Those in the stable seemed anxious to regain the outside, for their position was unavailable as a means of annoyance to the besiegers, and several had darted across the narrow space which divided it from the other part of the building, and which slightly projected, and behind which they were out of the line of fire. As soon, however, as the attention of the defenders was called to this spot, the first man who attempted to cross, and who happened to be a Pueblo chief, was dropped on the instant, and fell dead in the center of the intervening space. It appeared an object to recover the body, for an Indian immediately dashed out to the fallen chief, and attempted to drag him within the cover of the walls. The rifle which covered the spot again poured forth its deadly contents, and the Indian, springing into the air, fell over the body of his chief, stricken to the heart. Another and another met with a similar fate, and at last three rushed at once to the spot, and, seizing the body by the legs and the head, had already lifted it from the ground, when three puffs of smoke blew from the barricaded window, followed by the sharp cracks of as many rifles, and three daring Indians added their number to the pile of corpses which now covered the body of the dead chief.

"As yet the besieged had met with no casualties; but after the fall of the seventh Indian, in the manner above described, the whole body of assailants with a shout of rage, poured in a rattling volley, and two of the defenders of the mill



COLONEL CÉRAN ST. VRAIN



the people there of the massacre, after having been shot in the heel.

While the people of Taos and Arroyo Hondo were suffering the fiendish wrath of the Mexicans and Indians, like outrages were being perpetrated in other parts of the Territory. Sev-

fell mortally wounded. One, shot through the loins, suffered great agony, and was removed to the still-house, where he was laid upon a large pile of grain, as being the softest bed to be found.

"In the middle of the day the assailants renewed the attack more fiercely than before, their baffled attempts adding to their furious rage. The little garrison bravely stood to the defense of the mill, never throwing away a shot but firing coolly and only when a fair mark was presented for their unerring aim. Their ammunition, however, was fast failing and, to add to the danger of the situation, the enemy set fire to the mill, which blazed fiercely, and threatened destruction to the whole building. Twice they succeeded in overcoming the flames, and, taking advantage of their being thus occupied, the Mexicans and Indians charged into the corral, which was full of hogs and sheep, and vented their cowardly rage upon the animals, spearing and shooting all that came in their way. No sooner, however, were the flames extinguished in one place, than they broke out more fiercely in another; and as a successful defense was perfectly hopeless, and the number of the assailants increased every moment, a council of war was held by the survivors of the little garrison, when it was determined, as soon as night approached, that every one should attempt to escape as best he might, and in the meantime the defense of the mill was to be continued.

"Just at dusk, Albert and another man ran to the wicket gate which opened into a kind of enclosed space, and in which was a number of armed Mexicans. They both rushed out at the same moment discharging their rifles full in the faces of the crowd. Albert, in the confusion, threw himself under the fence, whence he saw his companion shot down immediately, and heard his cries for mercy, mingled with shrieks of pain and anguish, as the cowards pierced him with knives and lances. Lying without motion under the fence, as soon as it was quite dark he crept over the logs and ran up the mountain, traveled day and night, and, scarcely stopping or resting, reached the Greenhorn, almost dead with hunger and fatigue. Turley himself succeeded in escaping from the mill and in reaching the mountains unseen. Here he met a Mexican, mounted on a horse, who had been a most intimate friend of the unfortunate man for many years. To this man Turley offered his watch (which was treble its worth) for the use of his horse but was refused. The inhuman wretch, however, affected pity and commiseration for the fugitive, and advised him to go to a certain place where he would bring him or send him assistance; but on reaching the mill, which was now a mass of fire, he immediately informed the Mexicans of his place of concealment, whither a large party instantly proceeded and shot him to death.

"Two others escaped and reached Santa Fe in safety. The mill and Turley's house were sacked and gutted, and all his hard-earned savings, which were considerable and concealed in gold about the house, were discovered, and, of course, seized upon by the victorious Mexicans."

eral Americans in Mora were killed. These were Santa Fe traders, the most prominent of whom was Lawrence L. Waldo, of Westport, Missouri, father of Henry L. Waldo of Las Vegas, New Mexico. Mr. Waldo had been engaged in trade for several years and had made many trips with caravans over the Santa Fe Trail. Like Governor Bent, he was respected and liked by the masses of Mexicans and Indians. He was just entering Mora with his companions in charge of a caravan, ignorant of the fact that an uprising was in progress, when all were captured and mercilessly killed. When the news of this affair reached Las Vegas, a detachment of troops was sent to Mora. They recovered the bodies of the murdered men, and brought them to Las Vegas, where they were buried.

As soon as Colonel Price received word of the massacre at Taos he started for the scene, arriving there February 3d. He first met the insurgents at La Cañada, where they had assembled in strong force under the command of Generals Ortiz, Tafoya, Chavez, and Montoya, with the view of making a descent upon Santa Fe. Colonel Price, with Major Edmondson and Captain Burgwin, whom he had ordered from the Rio Abajo with their respective commands on the morning of the 23d, at the head of 353 men, which number was afterwards augmented to 480, and four mountain howitzers, marched against the insurgents, leaving Lieutenant-Colonel Willock, with a strong garrison, in command of the capital. The weather was extremely cold and the earth covered with snow.

The official account [7] of the battles fought under the leadership of Colonel Sterling Price was first published in 1847. In 1907, the Congress of the United States by resolution ordered a republication of all the reports and documents dealing with the occupation of New Mexico in 1846-47, in which republication is found a portion of the original report as made by Colonel Price. Inasmuch as the original document contained maps and a list of the killed and wounded, it is republished here.

[7] *Ex. Doc.* No. 1, 1st Sess. 30th Cong., pp. 520-538.

Headquarters Army in New Mexico.
Santa Fe, February 15, 1847.

SIR: I have the honor to submit to you a short account of the recent *revolution* in this territory, and a detailed report of the operations of the forces under my command consequent upon the rebellion.

About the 15th of December last I received information of an attempt to excite the people of this territory against the American government. This rebellion was headed by Tomás Ortiz and Diego Archuleta. An officer, formerly in the Mexican service, was seized, and on his person was found a list of all the disbanded Mexican soldiers in the vicinity of Santa Fe. Many other persons, supposed to be implicated, were arrested, and a full investigation proved that many of the most influential persons in the northern part of this territory were engaged in the rebellion. All attempts to arrest Ortiz and Archuleta proved unsuccessful, and these rebels have, without doubt, escaped in the direction of Chihuahua.

After the arrest above mentioned, and the flight of Ortiz and Archuleta, the rebellion appeared to be suppressed; but this appearance was deceptive.

On the 14th day of January, Governor Bent left this city for Taos. On the 19th of the same month, this valuable officer, together with five other persons, were seized at Don Fernando de Taos by the Pueblos and Mexicans, and were murdered in the most inhuman manner the savages could devise. On the same day, seven Americans were murdered at Arroyo Hondo, and two others on the Rio Colorado. The names of the unfortunate persons thus brutally butchered are as follows:

At Don Fernando de Taos — Charles Bent, governor; Stephen Lee, sheriff; James W. Leal, circuit attorney; Cornelio Vigil, (a Mexican), prefect; Narciso Beaubien, (son of the circuit judge); Pable Jaramillo (a Mexican).

At Arroyo Hondo — Simeon Turley, Albert Turbush, William Hatfield, Louis Tolque, Peter Robert, Joseph Marshall, William Austin.

At the Rio Colorado — Mark Head, William Harwood.

It appeared to be the object of the insurrectionists to put to death every American and every Mexican who had accepted office under the American government.

News of these events reached me on the 20th of January; and letters from the rebels calling upon the inhabitants of the Rio Abajo for aid, were intercepted. It was now ascertained that the enemy was ap-

proaching this city, and that their force was continually being increased by the inhabitants of the towns along their line of march.

In order to prevent the enemy from receiving any further reinforcements in that manner, I determined to meet them as soon as possible. Supposing that the detachment of the necessary troops would weaken the garrison of Santa Fe too much, I immediately ordered up from Alburquerque Major Edmonson, 2d regiment, Missouri mounted volunteers, and Captain Burgwin, with their respective commands, directing Captain Burgwin to leave one company of dragoons at this post, and to join me with the other. Major Edmonson was directed to remain in Santa Fe.

Captain Giddings, company A, 2d regiment, Missouri mounted volunteers, was also ordered to join me with his company, upon the arrival of Captain Burgwin.

Leaving Lieutenant Colonel Willock in command of this post, on the 23d of January I marched from this place at the head of companies D, Captain McMillen, K, Captain Williams, L, Captain Slack, M, Captain Hally, and N, Captain Barber, of the 2d regiment, Missouri mounted volunteers, Captain Angney's battalion of infantry, and a company of Santa Fe volunteers, commanded by Captain St. Vrain. I also took with me four mounted howitzers, which I placed under the command of Lieutenant A. B. Dyer, of the ordnance. My whole force composed three hundred and fifty-three, rank and file, and with the exception of Captain St. Vrain's company, were all dismounted. On the march, Captain Williams was taken sick, and the command of company K devolved upon Lieutenant B. F. White. On the 24th of January, at half past one, P. M., our advance (Captain St. Vrain's company) discovered the enemy in considerable force near the town of Cañada, their position at that time being in the valley bordering the Rio del Norte. Preparations were immediately made by me to attack them; and it became necessary for the troops to march more rapidly than the ammunition and provision wagons could travel, in order to prevent the escape of the enemy, or to frustrate them in any attempt they might make to occupy commanding positions. As I entered the valley, I discovered them beyond the creek on which the town is situated, and in full possession of the heights commanding the road to Cañada, and of three strong houses at the bases of the hills. My line of battle was immediately formed — the artillery, consisting of four 12-pounder mountain howitzers, being thrown forward on the left flank and beyond the creek, the dismounted men occupying a position where they would be, in some

degree, protected by the high bluff bank of the stream from the fire of the enemy, until the wagon train could be brought up. The artillery opened on the houses occupied by the enemy, and on the more distant height, on which alone the guns could be brought to bear. The enemy, discovering the wagons to be more than a mile in the rear, sent a large party to cut them off; and it became necessary to detach Captain St. Vrain's company for their protection. This service was rendered in the most satisfactory manner. So soon as the wagon train had been brought up, I ordered Captain Angney to charge with his battalion of infantry, and dislodge the enemy from the house opposite the right flank, and from which a warm fire was being poured on us. This was done in the most gallant manner. A charge was then ordered to be made upon all the points occupied by the enemy in any force. Captain Angney, with his command, supported by Lieutenant White's company, charged up one hill, while Captain St. Vrain's company turned the same, in order to cut off the enemy when in retreat. The artillery, supported by Captains McMillen, Barber, and Slack, with their respective companies, at the same time took possession of some houses (enclosed by a strong corral densely wooded with fruit trees, from which a brisk fire was kept up by the enemy), and of the heights beyond them. Captain Halley's company was ordered to support Captain Angney. In a few minutes my troops had dislodged the enemy at all points, and they were flying in every direction. The nature of the ground rendered pursuit hopeless; and it being near night, I ordered the troops to take up quarters in the town. The number of the enemy was about fifteen hundred. Lieutenant Irvine was wounded. In the charge my loss was two killed and six wounded. Of the killed, one was a teamster, who volunteered in Captain Angney's company. The loss of the enemy was thirty-six killed; wounded not ascertained. The next morning the enemy showed themselves in some force (I think not less than four hundred) on the distant heights. Leaving a strong guard in the town, I marched in pursuit of them; but they were so shy, and retreated so rapidly, that, finding it impossible to get near them, I returned to town.

While at Cañada a number of the horses belonging to Captain Slack's company were brought in by Lieutenant Holcomb.

On the 27th, I advanced up the Rio del Norte as far as Luceros, where, early on the 28th, I was joined by Captain Burgwin, commanding company G, 1st dragoons, and company A, 2d regiment Missouri mounted volunteers, commanded by Lieutenant Boone. Captain Burg-

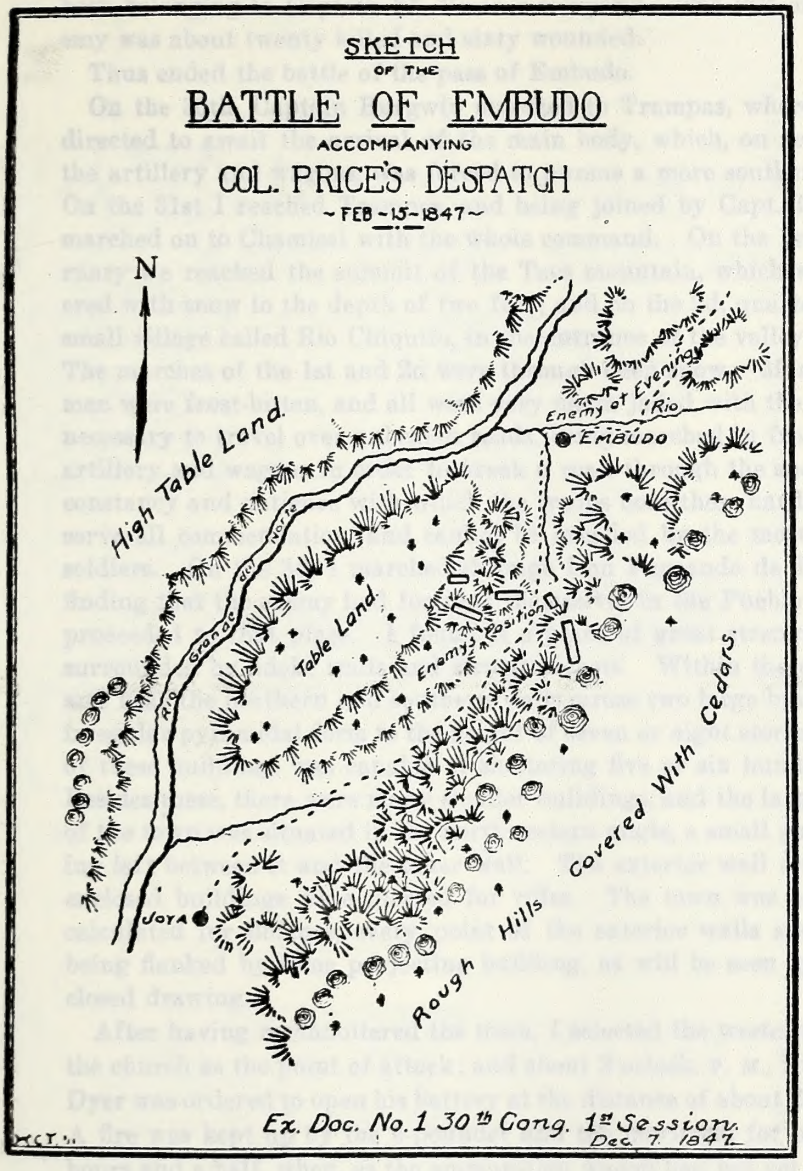
win's command was dismounted, and great credit is due to him and his officers and men for the rapidity with which a march so long and arduous was performed. At the same time Lieutenant Wilson, 1st dragoons, who had volunteered his services, came up with a 6-pounder, which had been sent for from Cañada.

My whole force now comprised 479 rank and file. On the 29th I marched to La Joya, where I learned that a party of sixty or eighty of the enemy had posted themselves on the steep slopes of the mountains which rise on each side of the cañon, or gorge, which leads to Embudo. Finding the road by Embudo impracticable for artillery or wagons, I detached Captain Burgwin in that direction, with his own company of dragoons and the companies commanded by Captain St. Vrain and Lieutenant White. This detachment comprised 180 rank and file.

By my permission, Adjutant R. Walker, 2d regiment Missouri mounted volunteers, accompanied Captain Burgwin. Lieutenant Wilson, 1st dragoons, also volunteered his services as a private in Captain St. Vrain's company.

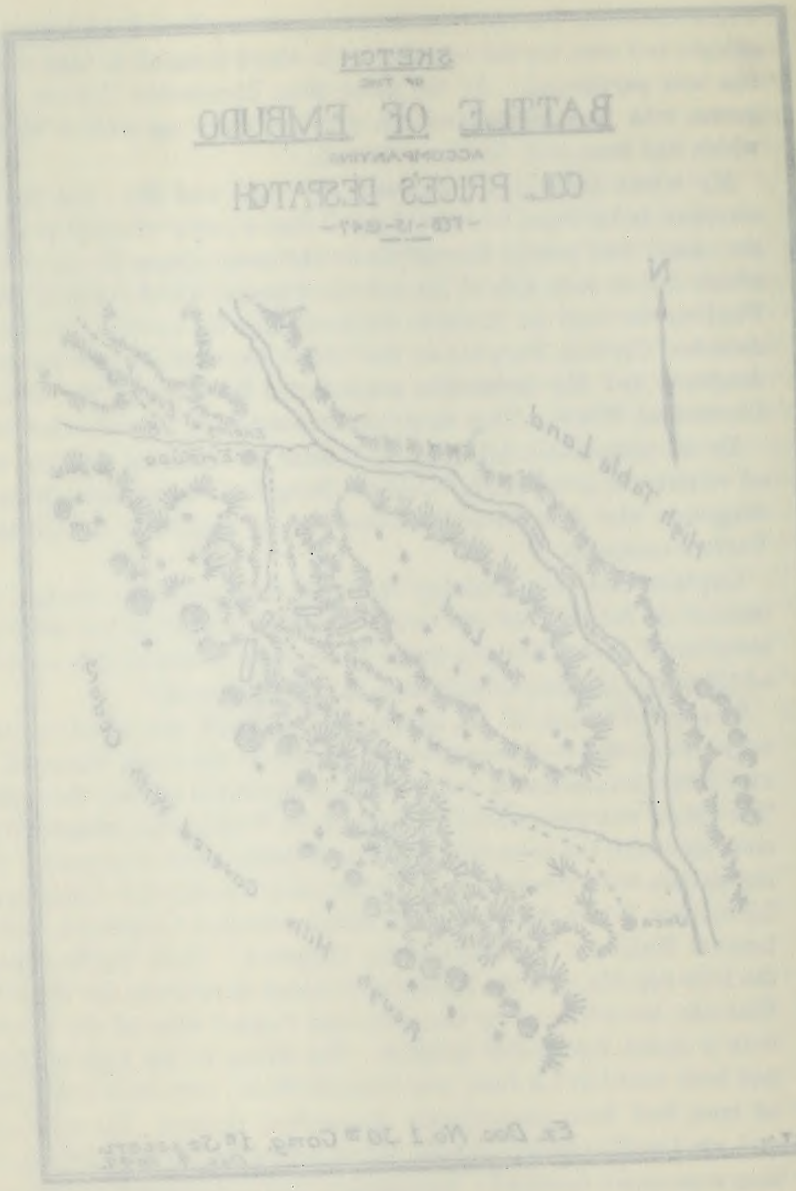
Captain Burgwin, pushing forward, discovered the enemy, to the number of between six and seven hundred, posted on the sides of the mountains, just where the gorge becomes so contracted as scarcely to admit of the passage of three men marching abreast.

The rapid slopes of the mountains rendered the enemy's position very strong, and its strength was increased by the dense masses of cedar and large fragments of rock which everywhere offered them shelter. The action was commenced by Captain St. Vrain, who, dismounting his men, ascended the mountain on the left, doing much execution. Flanking parties were thrown out on either side, commanded respectively by Lieutenant White, 2d regiment Missouri mounted volunteers, and Lieutenants McIlvane and Taylor, 1st dragoons. These parties ascended the hills rapidly, and the enemy soon began to retire in the direction of Embudo, bounding along the steep and rugged sides of the mountains with a speed that defied pursuit. The firing at the pass of Embudo had been heard at La Joya, and Captain Slack, with twenty-five mounted men, had been immediately despatched thither. He now arrived and rendered excellent service by relieving Lieutenant White, whose men were much fatigued. Lieutenants McIlvaine and Taylor were also recalled; and Lieutenant Ingalls was directed to lead a flanking party on the right slope, while Captain Slack performed the same duty on the left. The enemy by this time retreated beyond our reach, Captain Burgwin marched through the defile, and debouching into the open



valley in which Embudo is situated, called the flanking parties, and entered that town without opposition, several persons meeting him with a white flag.

Our loss in this action was one man killed, and one severely wounded,



both belonging to Captain St. Vrain's company. The loss of the enemy was about twenty killed and sixty wounded.

Thus ended the battle of the pass of Embudo.

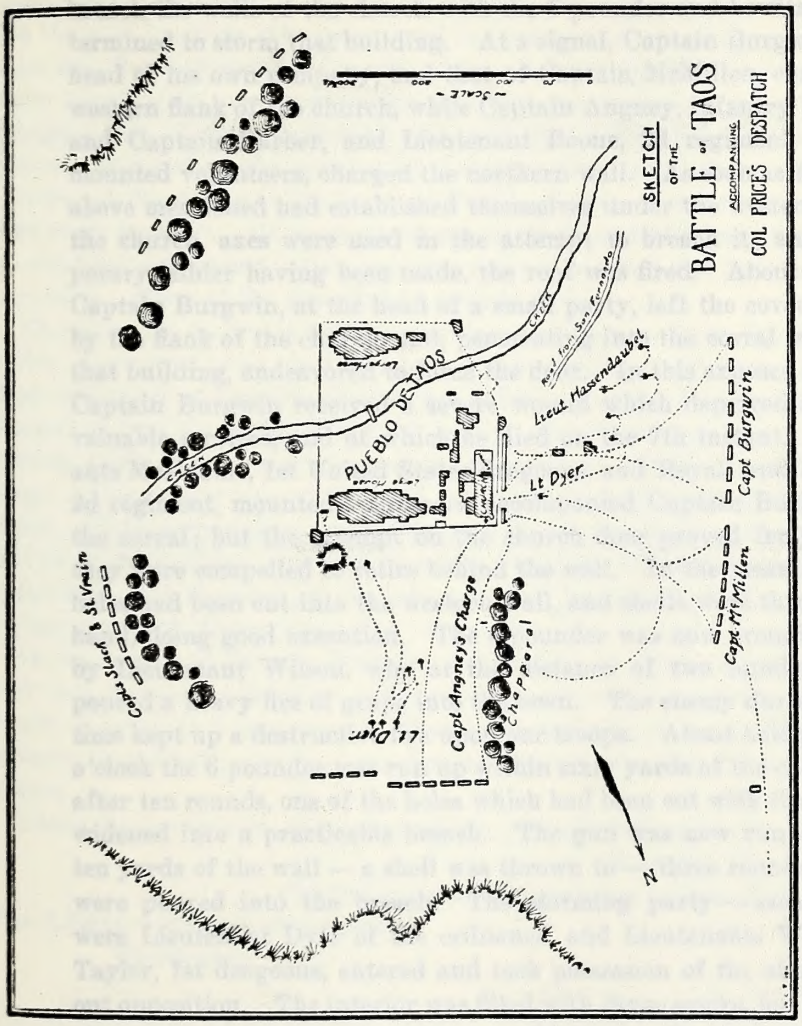
On the 30th, Captain Burgwin marched to Trampas, where he was directed to await the arrival of the main body, which, on account of the artillery and wagons, was forced to pursue a more southern route. On the 31st I reached Trampas, and being joined by Capt. Burgwin, marched on to Chamisal with the whole command. On the 1st of February we reached the summit of the Taos mountain, which was covered with snow to the depth of two feet; and on the 2d, quartered at a small village called Rio Chiquito, in the entrance of the valley of Taos. The marches of the 1st and 2d were through deep snow. Many of the men were frost-bitten, and all were very much jaded with the exertion necessary to travel over unbeaten roads, being marched in front of the artillery and wagons in order to break a road through the snow. The constancy and patience with which the troops bore these hardships deserve all commendation, and cannot be excelled by the most veteran soldiers. On the 3d, I marched through Don Fernando de Taos, and finding that the enemy had fortified themselves in the Pueblo de Taos, proceeded to that place. I found it a place of great strength, being surrounded by adobe walls and strong pickets. Within the enclosure and near the northern and southern walls, arose two large buildings of irregular pyramidal form to the height of seven or eight stories. Each of these buildings was capable of sheltering five or six hundred men. Besides these, there were many smaller buildings, and the large church of the town was situated in the northwestern angle, a small passage being left between it and the outer wall. The exterior wall and all the enclosed buildings were pierced for rifles. The town was admirably calculated for defense, every point of the exterior walls and pickets being flanked by some projecting building, as will be seen by the enclosed drawing.

After having reconnoitered the town, I selected the western flank of the church as the point of attack; and about 2 oclock, P. M., Lieutenant Dyer was ordered to open his battery at the distance of about 250 yards. A fire was kept up by the 6-pounder and the howitzers for about two hours and a half, when, as the ammunition wagon had not yet come up, and the troops were suffering from cold and fatigue, I returned to Don Fernando. Early on the morning of the 4th, I again advanced upon the Pueblo. Posting the dragoons under Captain Burgwin about 260 yards from the western flank of the church, I ordered the mounted

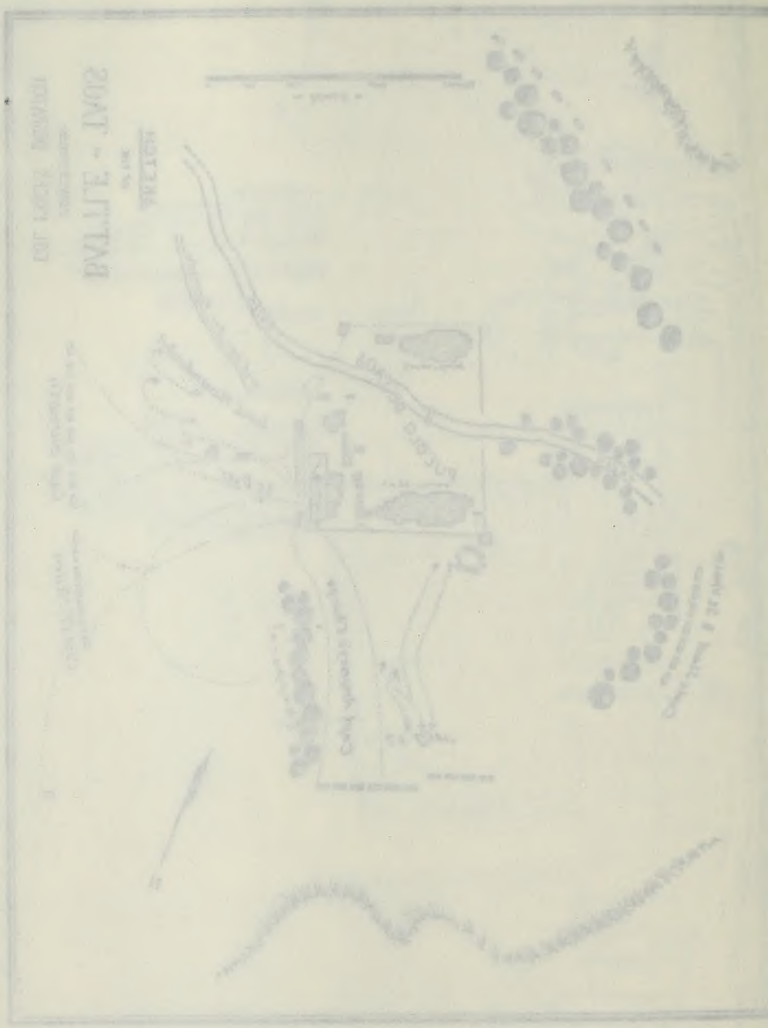
PARISH CHURCH, SANTA FE, NEW MEXICO, 1846



men under Captains St. Vrain and Slack to a position on the opposite side of the town, whence they could discover and intercept any fugitives who might attempt to escape towards the mountains, or in the direction of Don Fernando. The residue of the troops took ground



about 300 yards from the northern wall. Here, too, Lieutenant Dyer established himself with the 6-pounder and two howitzers, while Lieutenant Hassandaubel, of Major Clark's battalion light artillery, remained with Captain Burgwin, in command of two howitzers. By



this arrangement a cross-fire was obtained, sweeping the front and eastern flank of the church.

All these arrangements having been made, the batteries opened upon the town at nine o'clock, A M. At 11 o'clock, finding it impossible to breach the walls of the church with the 6-pounder and howitzers, I determined to storm that building. At a signal, Captain Burgwin, at the head of his own company, and that of Captain McMillen, charged the western flank of the church, while Captain Angney, infantry battalion, and Captain Barber, and Lieutenant Boone, 2d regiment, Missouri mounted volunteers, charged the northern wall. As soon as the troops above mentioned had established themselves under the western wall of the church, axes were used in the attempt to breach it; and, a temporary ladder having been made, the roof was fired. About this time Captain Burgwin, at the head of a small party, left the cover afforded by the flank of the church, and, penetrating into the corral in front of that building, endeavored to force the door. In this exposed situation, Captain Burgwin received a severe wound which deprived me of his valuable services, and of which he died on the 7th instant. Lieutenants McIlvaine, 1st United States dragoons, and Royall and Lackland, 2d regiment, mounted volunteers, accompanied Captain Burgwin into the corral; but the attempt on the church door proved fruitless, and they were compelled to retire behind the wall. In the meantime small holes had been cut into the western wall, and shells were thrown in by hand, doing good execution. The 6-pounder was now brought around by Lieutenant Wilson, who at the distance of two hundred yards, poured a heavy fire of grape into the town. The enemy during all this time kept up a destructive fire upon our troops. About half-past three o'clock the 6-pounder was run up within sixty yards of the church, and after ten rounds, one of the holes which had been cut with the axes was widened into a practicable breach. The gun was now run up within ten yards of the wall — a shell was thrown in — three rounds of grape were poured into the breach. The storming party — among whom were Lieutenant Dyer of the ordnance, and Lieutenants Wilson and Taylor, 1st dragoons, entered and took possession of the church without opposition. The interior was filled with dense smoke, but for which circumstance our storming party would have suffered great loss. A few of the enemy were seen in the gallery where an open door admitted the air, but they retired without firing a gun. The troops left to support the battery on the north were now ordered to charge on that side. The enemy abandoned the western part of the town. Many took ref-

uge in the large houses on the east, while others endeavored to escape toward the mountains. These latter were pursued by the mounted men under Captains Slack and St. Vrain, who killed fifty-one of them, only two or three men escaping. It was now night, and our troops were quietly quartered in the houses which the enemy had abandoned. On the next morning the enemy sued for peace, and, thinking the severe loss they had sustained would prove a salutary lesson, I granted their supplication, on the condition that they should deliver up to me Tomás — one of their principal men, who had instigated and been actively engaged in the murder of Governor Bent and others. The number of the enemy at the battle of Pueblo de Taos was between six and seven hundred. Of these, about one hundred and fifty were killed — wounded not known. Our own loss was seven killed and forty-five wounded. Many of the wounded have since died.

The principal leaders in this insurrection were Tafoya, Pablo Chaves, Pablo Montoya, Cortéz, and Tomás, a Pueblo Indian. Of these, Tafoya was killed at Cañada; Chaves was killed at Pueblo; Montoya was hanged at Don Fernando on the 7th instant, and Tomás was shot by a private while in the guard-room at the latter town. Cortéz is still at large. This person was at the head of the rebels in the valley of the Mora. For the operations in that quarter I refer you to the subjoined letters from Captains Hendley, separate battalion Missouri mounted volunteers, and Murphy, of the infantry, and Lieutenant McKarney, second regiment Missouri mounted volunteers.

In the battles of Cañada, Embudo, and Pueblo de Taos, the officers and men behaved admirably. Where all conducted themselves gallantly, I consider it improper to distinguish individuals, as such discriminations might operate prejudicially against the just claims of others.

I have the honor to be, very respectfully, your obedient servant,

STERLING PRICE,
Colonel commanding the army in New Mexico.

The Adjutant General of the Army,
Washington, D. C.

NAMES	RANK	COMPANY	REGT. OR BATTALION	REMARKS
Killed				
Graham	Private	Company B	Infantry Battalion	
G. Messersmith	Teamster	Volunteered for occasion		In employ in quartermaster's department
Wounded				
Irvine	1st Lieutenant	Company A	Infantry Battalion	Acting adjutant battalion
John Pace	Private	Do.	Do.	Slightly
Caspus	1st Sergeant	B, Mo. Artillery	Lt. Dyer's Detach.	Do.
Aulmon	Private	Do.	Do.	Severely
Murphy	Do.	C, Do.	Do.	
Mezer	Do.	B, Do.	Do.	

List of killed and wounded at the battle of Embudo, January 29, 1847.

Killed				
Papin	Private	Santa Fe Vol.	Capt. St. Vrain's Co.	
Wounded				
Dick	A negro	Gov. Bent's servant		Severely wounded

List of killed and wounded at Pueblo of Taos, on the 4th of February, 1847.

Killed				
Atkins	Teamster	Ammunition Wagon		In emp. of quartermaster
Wounded				
Alfred L. Caldwell	1st Sergeant	K, Lieut. White	2d Reg. Mo. Vols.	Mortally; since dead
Jas. Austin	Private	Do.	Do.	Do.
J. W. Jones	3d Corporal	Do.	Do.	Severely
R. C. Bower	Private	A, Lt. E. W. Boone	Do.	Do.

NAMES	RANK	COMPANY	REGT. OR BATTALION	REMARKS
KILLED				
Graham	Private	Company B	Infantry Battalion	
G. Mesermith	Teamster	Volunteered for escaping		In employ in quartermaster's department
WOUNDED				
Irvine	1st Lieutenant	Company A	Infantry Battalion	Losing adjutant battalion
John Penn	Private	Do.	Do.	Slightly
Coppin	1st Sergeant	H, 9th Artillery	1st Dyer's Dragoons	Do.
Anderson	Private	Do.	Do.	Severely
Murphy	Do.	C Do.	Do.	
Moore	Do.	B, Do.	Do.	

List of killed and wounded at the battle of Bonindo, January 29, 1847.

KILLED			
Coppin	Private	Company Bn Vol.	Capt. 6th Penn's Co.
WOUNDED			
Irvine	A. major	Gov. Bent's servant	Severely wounded

List of killed and wounded at Pueblo of Taos, on the 4th of February, 1847.

KILLED			
Adams	Teamster	Admiration Wagon	In emp. of quartermaster
WOUNDED			
Alfred L. Caldwell	1st Sergeant	K, Linnt. Wilde	2d Reg. Mo. Vols. Mortally; since dead
Jas. Austin	Private	Do.	Do. Do.
J. W. Jones	2d Corporal	Do.	Do. Severely
E. C. Towne	Private	A, 1st R. W. Boone	Do. Do.

Sam'l Lewis	Do.	M, Capt. Halley	Do.	Slightly
T. G. West	1st Lieutenant	N, Capt. Baca	Do.	Do.
J. H. Callaway	Private	Do.	Do.	Do.
John Nagle	Do.	Do.	Do.	Do.
John J. Lights	Do.	Do.	Do.	Do.
S. K. McMillan	Captain	Capt. McMillan	Do.	Do.
Henry Fender	Private	Do.	Do.	Dangerously
G. W. Johnson	Do.	Do.	Do.	Do.
Robert Hewit	Do.	Do.	Do.	Slightly
G. W. Houser	Do.	Do.	Do.	Do.
Wm. Ducoing	Do.	Do.	Do.	Do.
John Mansfield	Lieutenant	L, Capt. Slack	Do.	Do.
Jacob Noon	Private	Do.	Do.	Severely
Wm. Gibbons	Do.	Do.	Do.	Slightly
G. B. Ross	1st Sergeant	G, Capt. Burgwin	1st U. S. Dragoons	Killed
Brooks	Private	Do.	Do.	Do.
Beebee	Do.	Do.	Do.	Do.
Leving	Do.	Do.	Do.	Do.
Hansuker	Do.	Do.	Do.	Do.
Capt. Burgwin	Captain	Do.	Do.	Mortally; since dead
J. Vamoe	Sergeant	Do.	Do.	Severely
C. Ingleman	Corporal	Do.	Do.	Do.
J. L. Leimeman	Do.	Do.	Do.	Do.
S. Blodget	Private	Do.	Do.	Do.
S. W. Crain	Do.	Do.	Do.	Do.

NAMES	RANK	COMPANY	REGT. OR BATTALION	REMARKS
R. Deets	Do.	Do.	Do.	Do.
G. F. Liehenberg	Do.	Do.	Do.	Do.
J. Truax	Do.	Do.	Do.	Do.; since dead
Hagenbagh	Do.	Do.	Do.	Do.
Anderson	Do.	Do.	Do.	Do.
Beach	Do.	Do.	Do.	Slightly
Hutton	Do.	Do.	Do.	Do.
Hillman	Do.	Do.	Do.	Do.
Walker, 1st	Do.	Do.	Do.	Do.
Schneider	Do.	Do.	Do.	Severely; since dead
Shay	Do.	Do.	Do.	Do.
Near	Do.	Do.	Do.	Do.
Brenner	Do.	I, Do.	Do.	Do.
Brelfeld	Do.	B, Mo. Artillery	Lt. Dyer's Detach.	Do.
Tod	Do.	Do.	Do.	Do.
Kohn	Do.	Do.	Do.	Slightly
Hart	Sergeant	Capt. Angney	Infantry Battalion	Killed
Ferguson	Do.	Do.	Do.	Badly
Aull	Do.	Do.	Do.	Do.
Van Volkenberg	Lieutenant	B, Capt. Angney	Infantry Battalion	Mortally; since dead
Gold	Private	Santa Fe Vol.	Capt. St. Vrain's Vols.	Severely
Michell	Do.	Do.	Do.	Slightly

In addition to the foregoing, Captain (Israel R.) Hendley was killed at the town of Mora on the 24th of January last, and on the same day three men were wounded at the same place.

NAMES	RANK	COMPANY	REGT. OR BATTALION	REMARKS
R. Deeds	Do.	Do.	Do.	Do.
O. F. Lidenthorp	Do.	Do.	Do.	Do.
J. Truax	Do.	Do.	Do.	Do.; since dead
Hagenbuch	Do.	Do.	Do.	Do.
Anderson	Do.	Do.	Do.	Do.
Davis	Do.	Do.	Do.	Do.
Burton	Do.	Do.	Do.	Mostly
Hillsom	Do.	Do.	Do.	Do.
Walker, 1st	Do.	Do.	Do.	Do.
Schooler	Do.	Do.	Do.	Severely; since dead
Shoy	Do.	Do.	Do.	Do.
Noe	Do.	Do.	Do.	Do.
Brewer	Do.	Do.	Do.	Do.
Penfield	Do.	Do.	Do.	Do.
Vail	Do.	R. Mo. Artillery	Lt. Dyer's Detach.	Do.
Kerr	Do.	Do.	Do.	Do.
Hart	Do.	Do.	Do.	Slightly
Simpson	Sergeant	Capt. Ahrend	Infantry Battalion	Killed
Aull	Do.	Do.	Do.	Badly
Van Vrankenberg	Lieutenant	R. Capt. Aubrey	Infantry Battalion	Mortally; since dead
Gold	Private	Sixth Pr. Vol.	Cav. 6th Vols.	Severely
Mudell	Do.	Do.	Do.	Slightly

In addition to the foregoing, Capt. Jesse R. Beardsley was killed at the town of Mora on the 28th of January last, and on the same day three men were wounded at the same place.

Headquarters Grazing Detachment.
Las Vegas, January 23, 1847.

SIR: Below is an account of the circumstances that have lately transpired in this region.

On the evening of the 20th instant, myself and Lieutenant R. J. Williams happened at this place just as the town had assembled in general council, to hear the same circular read that has been forwarded to you from Taos. The alcalde of this place declared against the insurrection, and stopped the express and forwarded the letter to you. Early the next day, I took possession of this place with part of my command, and have ordered the balance to join me today. Lieutenant McKarney has also joined me with his forces. I have ordered the different grazing parties to rendezvous their stock about seven miles below this place, and the men to report themselves here ready for service as quick as possible.

News reached this place this morning that Messrs. Waldo, Culver, and two other Americans had been killed in Mora, and that a United States grazing party had been cut to pieces night before last. Yesterday morning I started Lieutenant Hawkins with thirty-five men to find out what had become of some trains that I heard were on this side of the mountains, with orders to bring them in if possible, as I considered it of great importance that they should be brought in safe.

My movements so far have been in anticipation of your orders, and have been such as to place the whole force in this section for offensive and defensive operations. I ordered Lieutenant McKarney to bring up the balance of his forces and some grazers that are near him in this place. Tomorrow I expect to go against Mora, with part of my forces, where it is reported that the Mexicans are embodied. Our ammunition is very short, there only being about 10 rounds of cartridges and 25 lbs. each of powder and lead — that I yesterday got from a Mr. Kid. It is of great importance that I should be quickly supplied.

If you will forward me one or two pieces of artillery well manned and plenty of ammunition, I pledge myself to subdue and keep in check every town this side of the mountains. Every town and village, except this (I did not give it time) and Tecolote, have declared in favor of the insurrection. The whole population appears rife for the insurrection. I will try and keep you apprised of all movements in this quarter. It is said that a large force, probably one thousand men, are marching from Taos towards Santa Fe — Tomás Ortiz, Cortez, and

Archuleta at their head. The Mora men, I do not know what leaders they have, but hope to be better able to tell you in a few days.

I am collecting all the provisions I can at this point; for a week you will find that troops must be kept here, as it would keep San Miguel, Mora and surrounding country in check.

If you conclude to forward me the artillery, send me word and I will meet it. I want permission to purchase corn to feed from seventy to one hundred horses, as some mounted men will be required for two or three weeks. My force, by tomorrow or next day, will amount, including grazing parties and other Americans that have joined me for protection, to about 225 men — say 175 efficient men — out of which Lieutenant Hawkins is now absent with 25 men.

Hoping that you may approve of what I have already done, and send me full instructions and plenty of ammunition.

I remain your obedient servant,

I. R. HENDLEY,
Captain Company G, Commanding at Las Vegas.

Colonel S. Price.

P. S. The express sent by Lieutenant Colonel Willock was attacked at San Bernal Springs, and only escaped by deserting their mules, and taking to the mountains afoot. The action against the population here I would suggest, should be active and vigorous. I. R. H.

2 o'clock P. M., January 23, 1847.

SIR: An express has just arrived from Lieutenant Hawkins at the Mora river that he had met Captain Murphy escorted by a detachment of Captain Jackson's company. Lieutenant Hawkins will escort Captain Murphy from Mora to this place, and from here I will go with him myself until I meet an escort from Santa Fe, which I desire you will hurry on as fast as possible, and let them bring me the artillery if you conclude to send me any. Captain Jackson's men will return from the Mora to meet the trains which are one day's march from that place. No fresh news about the Mexicans, except Lieutenant Hawkins' report that a parcel of the Apache Indians have joined with the Mexicans; so Mr. Wells at Mora has heard. The escorting of Captain Murphy will much impede my operations here.

Respectfully,

I. R. HENDLEY, Captain, etc.

Colonel S. Price.

Vegas, January 25, 1847.

SIR: The grazing parties of this part of the country have all assembled at Vegas and we are about 250 strong. We learned a few days since that there was a force of Mexicans assembled at Mora town and on yesterday we started up to that place, with a force of 80 men under the command of Captain Hendley, for the purpose of ascertaining their strength, and on our arrival we found that there were one hundred and fifty or two hundred men. We halted in the suburbs of the town and were consulting whether we would attack the town or not; and whilst we were consulting there, four Mexicans came running down out of the mountains. Six of us mounted our horses and aimed to cut them off from the town, but the Mexicans came running out to their relief; and at that time Captain Hendley ordered the company to mount and charge on them, and they fired on us two or three times and then retreated to their fort, and we cut off 15 and took them prisoners.

We kept up a firing for a considerable length of time. After killing from 15 to 20, we commenced burning and tearing down their houses and had succeeded in getting into one end of the fort — Captain Hendley, myself, and about ten more — and fired on them 10 or 12 times when Captain Hendley received a shot and died immediately. We took him out of the room and carried him some 200 yards; it was then growing late, and being informed that there were from 300 to 500 troops started from that place on this morning for Santa Fe, and fearing that they might be called back, we retreated with our men and prisoners to Vegas, where we are well fortified, where we arrived with three men slightly wounded. If we had one or two pieces of artillery to scare them out of their dens, we could whip all the Mexicans this side of the ridge. Yours in haste,

T. C. MCKARNEY, Lieutenant.

Colonel S. Price.

Vegas, January 25, 1847.

I enclose you Lieutenant McKarney's report of the battle of Mora town, which commenced this morning and lasted about three hours. I arrived here on the evening of the 23d, and did not think it prudent to leave until the command returned from Mora town, which has just returned, bringing the dead body of Captain Hendley, the only loss on our side. The loss on the part of the Mexicans, so far as ascertained, is 15 killed and 15 prisoners, with whom I will commence my march on the 27th, and expect to arrive in Santa Fe on the 30th instant. There is but one provision train on this side of the Raton mountains. It will

encamp at the crossing of the Mora tomorrow night. Mr. Campbell has gone with 15 men to procure fresh cattle to assist it to this place. I have taken the responsibility to send Lieutenant Oxley, company O, 2d regiment, in command of 18 men from Mora, to protect the train, which I hope will prove satisfactory. Companies M and N, grazing camps, have been robbed of all their animals except five or six. No men killed. The animals at Bent's farm have all been taken — seven men killed at this camp — report says all volunteers, some of them belonging to Captain Jackson's company. The bearer of this will inform you of particulars not prudent to commit to writing.

Yours respectfully,

W. S. MURPHY,
Captain Infantry Missouri Volunteers.

P. S. Romulus Culver, of Chariton, Ludlow Waldo, of Jackson, Mr. Prewit, of Santa Fe, Lewis Cabanne, of Missouri, and four or five in company were taken prisoners, robbed, and shot at Mora town on or about the 20th of the month. The leader of the forces at that place is by the name of Cortez.

Headquarters 9th Military Department,
Santa Fe, July 20, 1847.

SIR: Since the insurrection of January and February last, a body of Mexicans and Indians, embodied for predatory purposes, have been very annoying along the line of the eastern settlements of this territory, where many of our grazing camps were established. They did not, however, venture an attack upon any of the detachments in that quarter until the 20th of May last, when the camp of Captain Robinson, separate battalion, Missouri mounted volunteers, was surprised, and about two hundred horses and mules were driven off. In this affair Captain Robinson lost one man killed and two wounded.

Information of these events was immediately sent to Major Edmonson, commanding at Vegas, who at once marched in pursuit of the marauders, whom he found, on the 26th, in a deep cañon on the Rio Colorado, or, more properly, the Canadian river. Major Edmonson entered the cañon, and a desultory fight ensued, for the particulars of which I refer you to the official report of the engagement, which is herewith sent. This unsuccessful attempt to recapture the lost animals has emboldened the Mexicans and Indians to commit further acts of aggression. On the 27th June, Lieutenant R. T. Brown, 2d Missouri mounted volunteers, with two volunteers and a Mexican guide, started in pursuit of some horses which had been stolen at Vegas. Lieutenant

Brown found the animals at Los Valles, a small village about fifteen miles south of Vegas, but, upon his seizing them, the Mexicans resisted and murdered the whole party. As soon as Major Edmonson was informed of the massacre of this party, he marched from Vegas, and, surprising the town, shot down a few who attempted to escape, and took about forty prisoners. These prisoners are now confined in this city awaiting their trial.

On the 6th of July, the grazing camp of Captain Morris's company (separate battalion, Missouri mounted volunteers) was attacked, Lieutenant Larkin and four men were killed, and nine wounded, and all the horses, besides property of every description, fell into the hands of the outlaws. Lieutenant-Colonel Willock, commanding at Taos, immediately marched in pursuit of them, but at length, finding it impossible to overtake them, returned to Taos.

The forces under my command are now so much diminished by the departure of the companies whose terms of service have expired, that I consider it necessary to concentrate my whole command at this city. Rumors of insurrections are rife, and it is said that a large force is approaching from the direction of Chihuahua. I am unable to determine whether these rumors are true or false, but it is certain that the New Mexicans entertain deadly hatred against the Americans, and they will cut off small parties of the latter whenever they think they can escape detection.

General orders, No. 14, have been received and promulged, and it is probable that three or four companies, composed of discharged volunteers, and teamsters formerly in the employment of the assistant quartermaster, may be mustered into the service of the United States at this city.

I have the honor to be, very respectfully, your obedient servant,

STERLING PRICE,
Colonel Commanding the 9th Military Department.

The Adjutant General of the Army,
Washington, D. C.

Camp Near Santa Clara Springs,[7]
New Mexico, June 14, 1847.

SIR: In compliance with orders No. 187, the 16th May, I proceeded to Las Vegas with companies B and F, 2d regiment Missouri mounted volunteers, and the detachment Laclede rangers, commanded by Lieutenant Elliott. Upon my arrival at San Miguel, I was informed that a

[7] Near the present Wagon Mound station on the line of the A. T. and S. F. Ry.

large party of Shian and Apache Indians had gone to the mouth of the Mora, or Red River, to join a marauding party of Mexicans and others, numbering three or four hundred, and commanded by the outlaw, Cortéz; and that small detachments were being sent into the settlements to commit depredations on the property of the citizens and American soldiers. On my arrival at Las Vegas, 20th May, being informed that a party of about fifty Indians were in the mountains thirty miles north, having with them about two hundred stolen animals, I despatched company F, Captain Horine, in pursuit. On the same day company B, Captain Dent, was sent to disperse a marauding party, said to be about forty miles south of this place. On the evening of the same day I received information of the surprise of our grazing party, under Captain Robinson, near Wagon Mound, by a party of Indians and Mexicans, in which we lost one man (killed) and two wounded, and about two hundred and fifty horses; being destitute of mounted men, in consequence of the departure of the commands of Captains Horine and Dent on the morning previous, I immediately ordered in the grazing parties from the Ocaté. I was thus enabled, by the use of some government animals, to mount between seventy-five and eighty men, with which command I reached Captain Robinson's camp on the evening of the 24th. I there found Captain Brown (with twelve wagons laden with goods belonging to our sutlers, Messrs. Rich and Pomroy), who had been attacked the previous day at Santa Clara Springs, about eight miles distant, by the Indians, who made a desperate effort to get possession of the wagons. Failing in that attempt, they drove his oxen out of reach of gunshot, and deliberately killed them to the number of between sixty and seventy. The killing of the cattle was doubtless intended to detain the wagons, and thus afford an opportunity to surprise and get possession of them. On the following morning, 25th, leaving about thirty men for the protection of the sutler's wagons, I organized into two scouting parties, one under charge of Captain Holloway, and the other under charge of Lieutenant Elliott, with direction to rendezvous at Santa Clara Springs the following night. We that day discovered where the enemy had concealed their animals, a few days previous, in the mountains, about fifteen miles south of Santa Clara Springs, but had left in the direction of Red river. On the following morning, after forming an advance or spy party, under command of Captain Holloway, company E, the remainder were formed into three platoons; No. 1 commanded by Captain Robinson; No. 2 by Lieutenant Elliott; and No. 3 by Lieutenant Brown, company F. Thus

organized, I proceeded to follow the trail discovered on the day previous to the cañon of Red river. I entered it with Captain Robinson's command, leaving the commands of Lieutenants Elliott and Brown. Behind the company of spies, going some fifty minutes in advance in order to prevent surprise, descending into the cañon with great difficulty through the rocks, leading our horses and following the meanderings of the Indian trail about a half a mile, I discovered three Indians secreted behind the rocks, about two hundred yards from our trail. Supposing that a large number might be there secreted, and having myself the advantage of the ground, I ordered a halt until the rear of the command should arrive; whereupon the three Indians (who had, no doubt, been placed there as sentinels) made a rush for their horses, they being close at hand and ready saddled; they were immediately fired upon. Killing one of them and unhorsing another, the two remaining Indians mounted one horse and thus made their escape for the time. We then continued to descend to the bottom of the cañon, and with some difficulty effected a crossing of the river. Pursuing the track up the bank of the river we passed the two Indians above spoken of, who immediately made a desperate attempt to reach the main body of the enemy (who were then in our rear), but were immediately pursued and both slain before they could reach their party. The hills around us were, by this time, literally covered with Indians and Mexicans, who witnessed the tragedy and opened a fire upon us from every point occupied by them. The bottom of the cañon was so narrow as to expose our men to the fire of the enemy from the hills on either side, which were very rocky and so nearly perpendicular as to render a charge impossible. I determined to recross the river, in view of occupying some high points on the opposite side, which would at all times command the outlet from the cañon; but the enemy, understanding the order, or anticipating it, got possession of the ford before the men could be rallied, who were somewhat scattered in the pursuit of the two Indians spoken of.

I then returned up the river some half mile and took possession of a point of rocks which was out of gun-shot reach from the hills on the opposite side of the river; but being too far from the river to command access to water, I determined to occupy a point more favorably situated, in passing to which Lieuts. Elliott, Miller, and Sursey, who were in the rear, discovered a large party of Mexicans rapidly descending the hill (who had escaped my notice) rallied about twenty men and kept them in check until the main body got possession of the point last designated.

The men were immediately ordered to dismount, conceal their horses as far as possible, and take advantage of the rocks until the enemy should approach sufficiently near to enable us to make a charge, sending at the same time a detachment to the bank of the river to secure the water, and prevent the enemy passing up the cañon in our rear. Our troops being thus disposed of, the fight commenced at the three several points and continued without intermission about four hours, the enemy alternately advancing and retreating as new recruits arrived. About sun set, having driven beyond our reach the Indians and Mexicans, finding a large portion of the troops out of ammunition, many of our men having ceased firing for want of it, and knowing that we would necessarily have to fight our way out of the cañon, as the enemy occupied the passes, I determined to reach the open ground at the top of the cañon before dark, which was effected in good order, except in fording the river, when the enemy, anticipating our movement, were concealed in considerable numbers, opened a hot fire — wounding two of our men and killing several horses. After crossing the river we returned the fire of the Indians, and drove them back with the loss of five killed and several wounded. We then proceeded to the top of the hill in good order, reaching it at dark; whereupon our troops were immediately formed for action, but, no enemy appearing, we marched to water and encamped for the night, in view of returning to the cañon the following morning. Our number in the engagement was seventy-seven; the number of the enemy could not be correctly ascertained, but have been variously estimated at from four to six hundred. Our loss was one man killed and three slightly wounded, whilst the enemy's loss was reported at forty-one killed. The number of their wounded could not be ascertained, as they were removed off the field as fast as they fell. On consulting with the officers the next day (27th) and finding that that portion of our troops furnished by the grazing parties (composing much the largest portion of the command) were entirely out of ammunition, we were reluctantly compelled to suspend operations until a further supply could be obtained. Upon re-entering the cañon we found that the enemy had left on the night after the battle in great haste, leaving horses, cattle, camp equipage, etc.; not taking time to scalp or strip our man lost in the action, as is their custom. We pursued them with all possible despatch to their first camping ground in their retreat, where from appearances they had made a division of their property and forces. We continued to follow their traces many miles in the plains, until getting amongst large herds of mustangs or

wild horses it became impossible to track them further. Our horses being much fatigued and tender-footed, from our travel over the rocks we returned to our present camp, near Wagon Mound. Since the 26th of May (as far as my knowledge extends) there has been no further depredations committed in, or marauding parties infesting, this portion of the territory. Respectfully yours, &c.,

B. B. EDMONSON,
Major, Commanding Detachment.

Colonel S. Price,
Commanding Army in New Mexico.

This report is convincing proof of the efficiency of the volunteer forces aiding General Price in the engagements following the assassination of Governor Bent. Made up largely of traders, trappers, and the personal friends of those who had been murdered at Taos, under the leadership of Colonel St. Vrain, these men seemed to have been in the front and participating gallantly in all three engagements. St. Vrain had been a prominent figure in the Southwest for more than a quarter of a century. He was a business partner of the Bents, and the name of Bent and St. Vrain was one of the most important of the firms engaged in the Rocky Mountain fur trade. It ranked next to the American Fur Company in the amount of the business accounts prior to 1846. It maintained two posts: Bent's Fort on the Arkansas, sometimes called Fort William, for William Bent, and a post on the South Platte, in Colorado, opposite the mouth of the St. Vrain Fork.

According to Hall's *History of Colorado*, Ceran St. Vrain and the Bent brothers were the first white settlers to establish themselves on or near the Santa Fe Trail in Colorado. Céran St. Vrain was of French ancestry, his father coming to America in 1770, establishing himself in St. Louis, where he lived up to the time of his death in 1818, leaving five sons, of whom Céran was most widely known and who played an important part in the history of the Southwest. Early in life he seems to have been employed by the American Fur Company; later he established Bent's Fort and another post on the South Platte, in connection with the Bents, Charles and William.

These "Forts" did an enormous merchandising business. St. Vrain conducted many caravans over the old Santa Fe Trail to Santa Fe. During the revolution at Taos, he rendered effective service for the American forces, with a company of volunteers from Santa Fe and vicinity. In *Uncle Dick Wootton*, by Howard Louis Conrad, Wootton says:

Colonel Céran St. Vrain, Governor Bent's partner, accompanied Captain Burgwin with about sixty volunteers, picked up in Santa Fe. They reached Taos late on the third of February. [Wootton, with four companions, joined these volunteers at Taos.] The fight commenced early the next morning, and the battle which followed was a bloody one, considering the number of men engaged in it. . . It lasted until sundown, and I think we were resisted as stoutly as were the American soldiers upon any battle field of the Mexican war. . . The last stand made by the insurgents was at the old church. When they were driven out of there, they fled in every direction. Of course we pursued them, and not much quarter was asked or given. There was considerable hand-to-hand fighting, Colonel St. Vrain himself, I remember, engaging in a contest which in spite of the peril of the situation, was amusing. The colonel was riding along with myself and two or three others, who were about to join in a pursuit of one party of fugitives, when he observed an Indian whom he had seen a great many times, and knew very well, lying stretched out on the ground, apparently dead. Knowing that this Indian had taken a prominent part in the massacre, Colonel St. Vrain dismounted, and walked a few feet from where we were, to see whether the red skin was really dead or only shamming. That the latter, and not the former, was the proper diagnosis of the Indian's case, the colonel was soon very thoroughly convinced. He had scarcely reached the side of the apparently dead Indian, when the latter sprang up, and grappling with him, undertook to thrust into his body a long, steel-pointed arrow. Both the Indian and the colonel were large, powerful men, and as each managed to keep the other from using a weapon, a wrestling match followed the Indian's attack, which, it seemed to me, lasted several minutes before outside help terminated it in the colonel's favor. I sprang to his assistance as soon as I saw the struggle commence, but the Indian managed to keep the colonel between him and me, and was so active in his movements, that I found it difficult to strike a lick which would be sure to hit the right head. I managed after little, however, to deal him a blow with my tomahawk which had the effect of causing him to relax

his hold upon the colonel, and when he stretched out on the ground again, there was no doubt about his being a dead Indian.

After the assassination of Governor Bent, St. Vrain was recommended, by Governor Donaciano Vigil, to President Polk for the office of governor of the Territory. In September, 1849, he was a delegate from Taos county, to the "Convention of the Territory of New Mexico." In June, 1861, when the 1st New Mexico cavalry was organized, he was first colonel of the regiment, but soon resigned on account of age, and was succeeded by Kit Carson.

Céran St. Vrain married a Miss Branch, of Mora, New Mexico, and of the marriage there were born two sons, Vincent and Felix, and one daughter, Felicita, who is Mrs. Macario Gallegos, of Mora, New Mexico. One son, Felix, lives in Colorado.

Céran St. Vrain died about 1869, past his eightieth year.

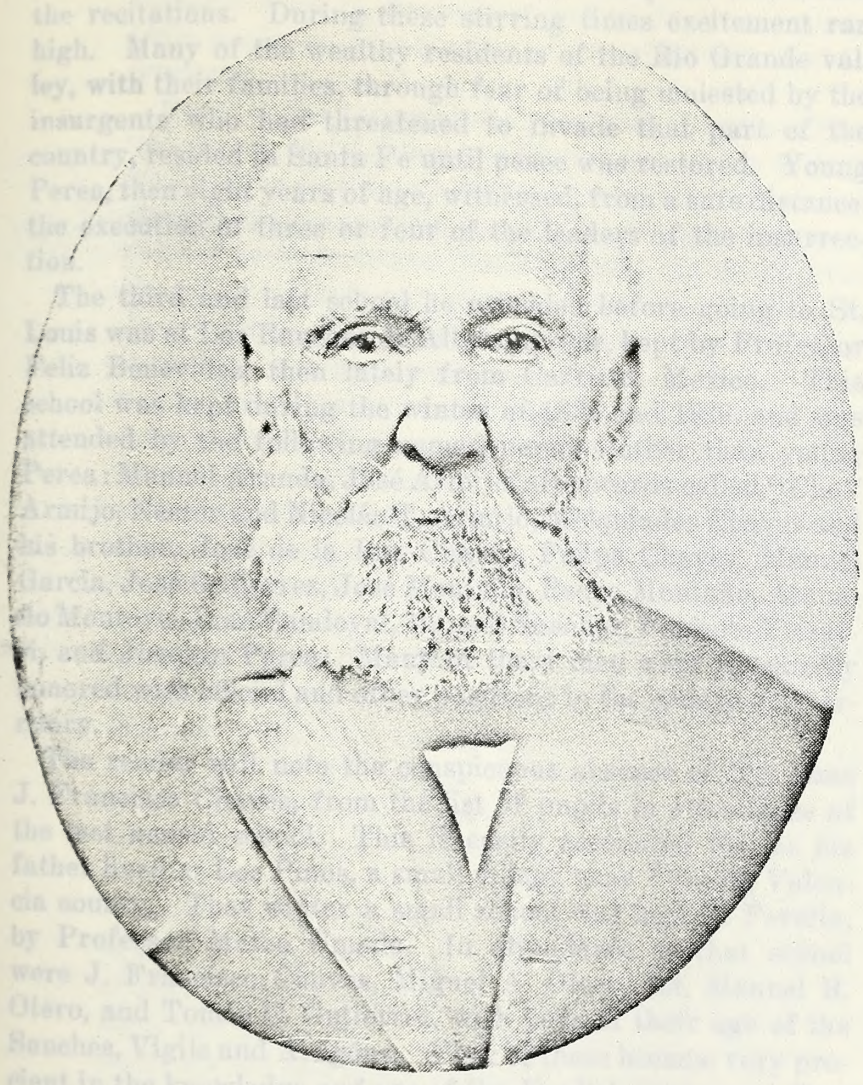
COLONEL FRANCISCO PEREA

W. H. H. Allison

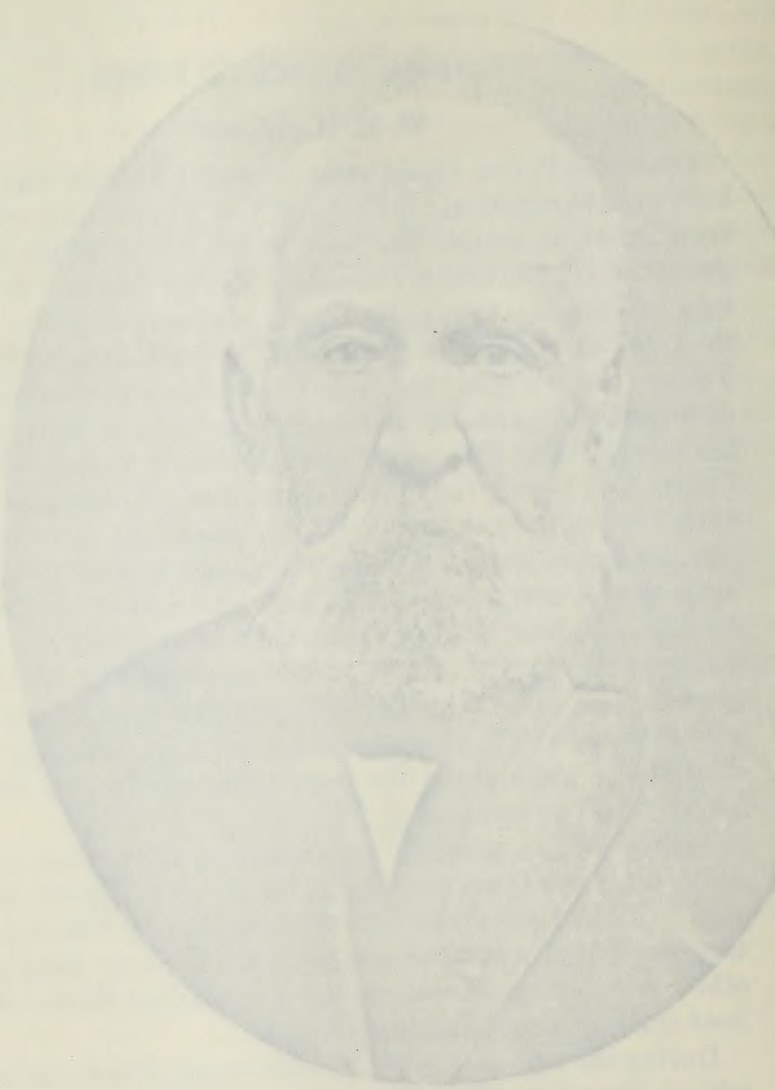
Francisco Perea, whose name for half a century was a household word throughout the State of New Mexico, and well known from ocean to ocean, was born in the house of his maternal grandfather, Governor Francisco Xavier Chaves, at the village of Padillas, Bernalillo county, January 9, 1830. He was the third child of Juan Perea and his wife, Josefa Chaves de Perea. Juan Perea, the father, was born at Corrales, Sandoval county, probably about the year 1802 or 1803, and was the son of Pedro Perea and wife, Barbarita Romero de Perea. Pedro José Perea, the grandfather, was also a native of Corrales, where he was born probably about the year 1780, and was the son of Pedro Acencio Perea and his wife, whose first name is not now remembered, and who was of the Valverde family at Juarez, Mexico. A branch of this family is now residing in Rio Arriba county. Pedro Acencio Perea, the great-grandfather, came from the City of Mexico and settled in Corrales where he built a house that has been continuously used as a residence since about the year 1780. Nothing is definitely known of his parentage.

Francisco Perea's first experience in school was at Bernalillo, his home town, during the winter of the years 1836 and 1837. This was a select school, conducted by Professor José Gutierrez, and was attended by only three or four persons other than young Perea, among them being Nestor Armijo, José Gutierrez, and Joaquin Perea.

During the winter of 1837 and 1838 young Perea, in company with J. Francisco Chaves and Joaquin Perea and a few other small boys, attended a school in Santa Fe, kept by one Captain Sena, who some years before had come from Mexico with the dragoons. During the greater part of the winter the captain was actively engaged with Governor Armijo, in the latter's campaign for the suppression of the insurrection of the year



COLONEL FRANCISCO PEREA



1837. When Sena was serving with the army his wife heard the recitations. During these stirring times excitement ran high. Many of the wealthy residents of the Rio Grande valley, with their families, through fear of being molested by the insurgents who had threatened to invade that part of the country, resided in Santa Fe until peace was restored. Young Perea, then eight years of age, witnessed, from a safe distance, the execution of three or four of the leaders of the insurrection.

The third and last school he attended before going to St. Louis was at Los Ranchos de Alburquerque, kept by Professor Feliz Benevidez, then lately from Carrizal, Mexico. This school was kept during the winter of 1838 and 1839, and was attended by the following named persons other than young Perea: Manuel Aranda, José Armijo, afterwards called "Che" Armijo, Nestor and Nicolás T. Armijo, Melquiades Chaves and his brother, José de la Luz Chaves, Felipe Chaves, Manuel Garcia, José Gutierrez, José Montaño, Pedro Montaño, Atanacio Montoya, Juan Sandoval, Manuel Sanches, Perfecto Yrisarri, and Joaquin Perea. Many of these men were repeatedly honored with official and other positions in the county and territory.

The reader will note the conspicuous absence of the name J. Francisco Chaves, from the list of pupils in attendance at the last named school. This is easily accounted for, as his father lived at Los Pinos, a small village near Peralta, Valencia county. That winter a small school was kept at Peralta, by Professor Mateo Umada. In attendance at that school were J. Francisco Chaves, Miguel A. Otero, 1st, Manuel R. Otero, and Tomás C. Gutierrez, with boys of their age of the Sanches, Vigils and Aragóns. Four of these became very procient in the knowledge and use of the English language. Two were delegates in Congress. During the campaign of the year 1860, Tomás C. Gutierrez made many speeches in some of the New England States in support of Mr. Lincoln for the Presidency. He was perfect in the use of the English idiom.

In the interval between the years 1839 and 1843, young Perea

was employed in teaching his brothers and sisters at his father's home in Bernalillo; and while so occupied, became quite proficient as a teacher of the rudiments of the Spanish language.

Early in the spring of the year 1843 Francisco Perea, Joaquin Perea, and J. Francisco Chaves were taken over the Santa Fe Trail, by caravan, to Independence, Missouri, thence on the steamboat *Oceana* to St. Louis. At the latter place they were entered as students in a Jesuit college. In the caravan across the plains the lads were directly under the charge of Juan and José Leandro Perea and José Chaves. Several other prominent New Mexicans, with their outfits, accompanied the caravan. The following named lads: Miguel A. Otero, 1st, Nestor Armijo, Felipe Chaves, and José Gutierrez, were, a few weeks later, taken over the same route and entered as students in the same institution of learning. Soon after reaching St. Louis, Juan and José Leandro Perea and José Chaves continued on to New York City where they remained until the following spring. While sojourning in the metropolis they became acquainted with many fugitive patriots from several European countries, among them being that sterling patriot and scholar, Mariano Velasquez, then a tutor in a select school in Bank street, and of the faculty of Columbia College. Velasquez made such favorable impression on Juan Perea as to induce him to send his sons, Francisco and Joaquin, to the Bank street school, where they were taken in the spring of the year 1847.

Young Perea remained at the college in St. Louis until late in the fall of the year 1845, when he returned with the caravan of Don Francisco Elguea, of Chihuahua, reaching his father's home late in the year. During the two and a half years in St. Louis the lad had made wonderful progress in the acquisition of the English language. This he mainly attributed to his separation from his former companions, and his association with English-speaking students, particularly with two small boys named Kerr, whose father was, in some way, connected with the St. Louis *Republican*. These manly little fellows fur-

nished their New Mexican friend with a copy of the newspaper almost daily.

Young Perea was at his father's house in Bernalillo when General Kearny visited that place a few weeks after the advent of the American army at Santa Fe. At that time the elder Perea gave a banquet to the general and his officers, about fifty in number, the whole party remaining at his house through the entire night. It was on that occasion that General Kearny offered to appoint Juan Perea governor of the Territory, an offer he declined, largely because of the lack of a treaty confirming the conquered territory as a part of the United States.

Welcoming the American occupation as his grandfather, father, and uncle had done, young Perea, in company with his uncle, José Leandro Perea, made a trip to Santa Fe a few weeks after its occupation by the American army. This visit was made on the part of the uncle for the purpose of forming a better acquaintance with some of the leading officers there, and to become more familiar with the motive and intention of the occupation. The nephew, who was always a favorite with his uncle, then having acquired a very fair knowledge of the English language, proved to be an excellent interpreter on that occasion. Don José Leandro soon ascertained that in the future he owed his allegiance to the United States.

In the spring of the year 1847 Perea, in company with his brother, Joaquin Perea, J. Francisco Chaves, Miguel A. Otero, 1st, and José Gutierrez, made a trip over the Santa Fe Trail to Independence, Missouri, thence to St. Louis by steamboat, where the Otero and Gutierrez lads were placed in a school kept by the Christian Brothers. The other three boys, in company with José Leandro Perea and Juan Montoya, continued on to New York, traveling by steamboat as far as Pittsburgh, Pennsylvania, thence by stage coach to Chambersburg in the same State, and thence, by railroad, to the end of their journey. In New York the lads were placed in the select school before mentioned. Professor Hincinle Peuhne, fromerly a captain of artillery in Napoleon's army, was headmaster of the academy.

It was here the lads recited some of their lessons to the well known Professor Mariano Velasquez, then absent from his native country because of his love of freedom and personal liberty.

Messrs. Perea and Dr. Henry Connelly, having transacted the greater part of their business in the metropolis, concluded to visit Philadelphia, Baltimore, and Washington before starting on their return home, being accompanied by young Francisco Perea to the national capital where the young man, at the age of nineteen years, was presented to President Taylor in the same room in which he was introduced to President Lincoln almost fifteen years later. After a sojourn of only one day at the seat of government, all returned to New York, where their business was soon completed, and arrangements made for their journey homeward.

Bidding adieu to the boys left in school, and as many other acquaintances and friends as they could conveniently find, Messrs. Perea and Connelly and young Francisco began their journey westward, going as far as Albany over the beautiful Hudson, traveling part of the way by railroad and the remainder over the Erie canal. Soon after their arrival at Buffalo they engaged passage over the Great Lakes by steamboat to Chicago. No sooner was the craft under a full head of steam, than arrangements were made and dancing began to the music of the boat's orchestra, and, in the midst of these terpsichorean pastimes, and while the pleasure seemed to reign in the highest degree, the unwelcome words "Cholera! Cholera!" were heard louder than the music and the stentorian calls of the prompter. The goddess Terpsichore was soon forgotten, nor was she again thought of during the remainder of the voyage. Cholera, that much dreaded epidemic that swept over various parts of the country during that and the following year, was among the passengers and crew, and the young student, Francisco Perea, was one of its victims. However, by strictly observing the advice of Dr. Johnson, a St. Louis physician, then one of the passengers, the young man soon recovered his usual health. The party reached Chicago without

further annoyance or mishap, and were surprised at finding a fast thriving community busily engaged in building a metropolis in a swamp by the lake.

Leaving Chicago over the canal, the party, on reaching Peoria, embarked on a steamboat for St. Louis, and were safely landed there in time to witness the great fire of May 17, 1849. Here again they were in the midst of the cholera plague, which was claiming its victims by scores daily. Large purchases of merchandise, wagons, and harness were to be made. At the same time business threatened to come to an abrupt end because of the destructive fire and the deadly plague. However, in ten or twelve days, the party was ready to proceed to Westport where their caravan awaited them.

Upon their arrival at Westport, the party found themselves in the midst of a mass of humanity, beasts of burden, vehicles of almost every description, tents, camping outfits, and camp fires. Here were many gold seekers on their way to California, lured by the report of the discovery of gold in that state. Cholera, the prevailing epidemic, was raging furiously in the camps of the latter class. Many were buried without the simplest form of funeral service.

The Messrs. Perea and Connelly and the young student lost no time in getting their caravan ready for its departure from Westport, in order to rid themselves of the presence of the deadly plague that was about them, although not one of the New Mexicans had experienced the slightest symptoms of the disease. The trip from the Missouri river to Bernalillo was without incident worthy of notice other than the near encounter of a large band of Comanche Indians, who had, a few hours before, held up Preston Beck's caravan, going west, for a large tribute of flour, bacon, sugar, and coffee, and had killed two of his finest mules. Perea and Connelly's caravan passed safely by while the Indians were enjoying their feast. Ten days after the arrival at home, young Perea and his uncle, José Leandro Perea, with twenty large wagons well loaded with dry goods, set out for Durango, Mexico. Several weeks were spent in Chihuahua, where a part of the merchandise was sold, before

passing on to their destination. The return home, which they reached about the end of the year, was without incident. Young Perea made several other trips to the interior of Mexico in caravans of many wagons loaded with various kinds of dry goods purchased in the eastern markets. These he sold and exchanged for Mexican commodities which he brought home for his New Mexican trade.

During the latter part of the summer and the fall of 1853, Perea, in company with several other owners of large flocks of sheep, made a journey over the Gila route and the Mojave desert, to the State of California, driving about 50,000 head of sheep for the markets of that State. Several of the most wealthy sheep owners in the territory accompanied the expedition, as well as the celebrated plainsman, F. X. Aubrey, who only a short time previously had returned from Independence, Missouri, to which place he had made a record-breaking trip on horseback from Santa Fe, earlier in the season. This was the celebrated ride made by Aubrey in a little less than five and one-half days, by which he won a wager of five thousand dollars. During the entire journey, going and coming, the caravan was never interrupted by hostile Indians; although Mangas Coloradas (Red Sleeves), then chief of the Apaches, accompanied by about three hundred of his warriors, was suddenly encountered in the vicinity of Cow Spring in southwest New Mexico. The braves, all of whom could speak the Spanish language, manifested no desire to interrupt the caravan. The venture was a profitable one for all concerned, and the return was made the following year in the months of July and August. The trip homeward was along the thirty-fifth parallel of latitude.

Young Perea, in company with several other prominent New Mexicans, journeyed over the Santa Fe Trail to the Missouri river early in the spring of the year 1854. After providing pasturage for the teams and leaving teamsters to care for them, several of the party continued on to St. Louis, where merchandise, harness, and wagons were purchased for the return trip. Again in the spring of the year 1855, a trip was

made over the same route. This time young Perea not only extended his journey to St. Louis, but continued on to New York, where he purchased a large supply of merchandise. On his return Perea bought in St. Louis two sewing machines and two cook stoves, the first of the kind brought to New Mexico. The visit to New York was the first since the spring of the year 1849.

During the summer of the year 1860, Perea, associated with several other owners of large flocks of sheep from various parts of the Territory, some of whom had been with him on the previous trip of 1853, began a second trip over the Gila route to California. As before, they drove about 50,000 head of sheep for the markets there. Except for a few trivial accidents the trip proved to be, in many ways, a delightful one, and was reasonably remunerative, although the price of sheep in that year was lower than in 1853.

Young Perea, along with several of his associates, was in San Francisco when news reached there of the election of Abraham Lincoln to the presidency. What followed the reception of the news there will be quoted in the young man's own words: "Following the receipt of the gladsome news great joy and enthusiasm seemed to fill every heart; and, during the night following, the occasion was celebrated by immense processions of men and boys marching through the principal streets to the music of many brass bands, the firing of cannon, and the discharge of anvils. It is needless to say all of us New Mexicans heartily joined in to swell the throng, which continued its hilarity throughout the night. No thought then entered my mind that in the short space of three years I would be a delegate in Congress, thereby admitted to the presence of the greatest statesman in consultation about affairs in the Territory of New Mexico."

Colonel Perea, accompanied by Jesus Luna, Luis M. Baca, Vicente Otero, and Diego Sisneros, reached home about June 15, 1861, traveling by stage coach, over the Butterfield route along the thirty-second parallel as far as Mesilla, Doña Ana county. At home they found affairs in a very uncertain and

critical condition. The principal officers of the various small army posts, all graduates of the military academy of West Point, had, together with the civil appointees throughout the Territory, resigned their commissions, and had returned to the States to take service in the army of the Confederate States. Numerous spies and agents of the Confederacy were distributed throughout the Territory, urging the people to forsake their adopted government and to cast their allegiance in favor of an untried one. Many of these agents of the new government were among the various tribes of hostile Indians, trying to urge them to take advantage of the unorganized and almost helpless condition of the people, to make their deadly forays among them. No one saw this critical condition sooner, nor with keener eye, than did the young man, Francisco Perea. No one worked more faithfully in his allegiance to his adopted country in defense against every foe.

After a hasty consultation with many of the leading men of the Territory, all of whom were known to be strictly loyal to the United States, and communicating with others by letter, young Perea, during the remainder of the summer and fall of 1861, visited almost every prominent man in the entire Territory. The result of this canvass, which lasted about four months, coupled with the efforts of many other prominent men, saved New Mexico to the Union. No stronger proof of the loyalty of the people of New Mexico is needed than the fact that she enlisted a greater per cent of her population in behalf of the United States, than any of the other States. This fact was largely due to the untiring efforts of Francisco Perea, who went into the conflict to win.

As soon as conditions in New Mexico were well understood at Washington, President Lincoln authorized Governor Connelly to enlist two full regiments and four battalions of four companies each. These volunteers were to be employed in defending the people against the invasion of the Territory by Texas Rangers, and the incursions of the hostile Indians. Young Perea was commissioned lieutenant-colonel and assigned to the command of one of these battalions. He was

stationed at Alburquerque, where he was in command of the garrison during the winter of the years 1861 and 1862. At Alburquerque he directed several successful campaigns against the Navajos, which tribe was then in very threatening mood. Subsequently Colonel Perea took part in the battle of Glorieta.

After the Texans had been driven from the Territory, and the Indian tribes quieted, Colonel Perea resigned his commission. During the following year he was engaged in repairing his house and fortune, both of which had been wrecked by the invading Texans. While these matters were still claiming his attention, early in the summer of the year 1863, his friends, without the formality of a convention, announced him a candidate for delegate to the Thirty-eighth Congress. In the canvass, which was a spirited one on the part of the colonel, he was supported by many prominent men of the Territory. He was elected by a handsome majority.

Colonel Perea's opponent in the canvass for delegate was the well known José Manuel Gallegos, commonly called Padre Gallegos, a man of considerable ability, although almost entirely devoid of knowledge of the English language. He was also handicapped by being under the ecclesiastical ban of the bishop of the diocese, any detailed mention of which would be out of place here. Gallegos was nominated by a convention held at the county seat of Bernalillo county, now in Sandoval county. This convention was composed of men from almost every part of the Territory. Among them were a few who had favored the dissolution of the Union and later had welcomed the coming of the Texas Rangers under Sibley and Baylor. Don Pedro Sanchez, of Taos, was president of the convention. The principal feature of their deliberations was opposition to anything for which Perea stood, instead of any fixed principles which might have been embodied in their platform.

The campaign which followed was a stirring one, particularly on the part of Perea, who visited almost every part of the Territory making addresses wherever a sufficient number of people could be assembled. The opposition, being well supplied with money, was able to and did make a vigorous can-

vass, depending more largely on a "still hunt" for support than appeals from the hustings. The election occurred on the 7th day of September, 1863.

Soon after the election news reached Santa Fe that the poll books and the entire vote of Socorro county were deposited in a certain house in the town of Socorro, there awaiting the action of the proper officials for counting and certification to the secretary of the Territory. At the same time it was learned that Perea's election depended on the counting of the vote from that county. Friends of Gallegos at once perceived that if they could in any manner prevent the certifying of the votes from Socorro county, their candidate would be declared elected. Thus encouraged with the hope of success, they immediately despatched a messenger to Socorro with instructions to burn the house containing the poll books and ballots and not to fail in the undertaking. All of which the incendiary did, receiving a handsome reward for his crime. Fortunately for Colonel Perea, the judges and clerks of the election in each of the precincts of the county, had retained duplicates of the number of votes cast for the respective candidates and these were soon afterwards certified to the secretary. When added to the returns reported from the other counties, Perea was declared to have been elected by a little less than one thousand majority.

Soon after receiving his commission, Colonel Perea, in company with his wife and daughter, set out for Washington to be present at the first session of the Thirty-eighth Congress, which met on the 7th of December. On their way a sojourn of one month was made in St. Louis, where the colonel renewed many former acquaintances among his schoolmates and business men of the city. Continuing on to the national capital he was, soon after his arrival there, introduced to the president and the heads of the various other departments of the government. The presentation was made by Judge John S. Watts, formerly and later a member of the supreme court of New Mexico, and who had represented the people of the Territory as delegate in the preceding Congress. In company with Colonel Perea when he was presented to Mr. Lincoln, other than

Judge Watts, were John P. Usher, of the department of the interior, and Judge Perry E. Brocchus, who, like Watts, had been and was afterwards a member of the supreme court of New Mexico.

Colonel Perea, having formed a very exalted opinion of the character of Mr. Lincoln, and of his conduct of state affairs, favored his renomination at the Baltimore convention, which convened in that city June 7, 1864. John S. Watts, Joshua Jones, and Francisco Perea were the accredited delegates from New Mexico, which was for the first time represented in a national convention.

Colonel Perea, always fond of the higher dramatic art, was present at Ford's theater when President Lincoln was assassinated, his seat being in the orchestra, immediately in front of and a little below the President's box. The play being performed that night was known as "Our English Cousins" and was given by the Irish-American comedian, John McCullough. In the midst of the performance a pistol shot was heard near the box occupied by Mr. Lincoln and a few friends that were with him. In a very short time all knew the president had been shot.

Colonel Perea was, early in the summer of the year 1865, renominated as a candidate to the Thirty-ninth Congress. He made a vigorous campaign and would have been triumphantly elected had he refused to support a few of his most intimate friends, among whom was General Carleton, then commander of the military department, with headquarters at Santa Fe. The opposition concentrated their efforts against General Carleton, a brave and efficient officer, whose removal from his post of duty had been determined upon by Chief Justice Kirby Benedict. His character as a soldier was assailed in all portions of New Mexico. Many petitions were sent to President Johnson and Secretary of War Stanton, the charges made being to a large extent trumped up and manufactured by his political enemies.

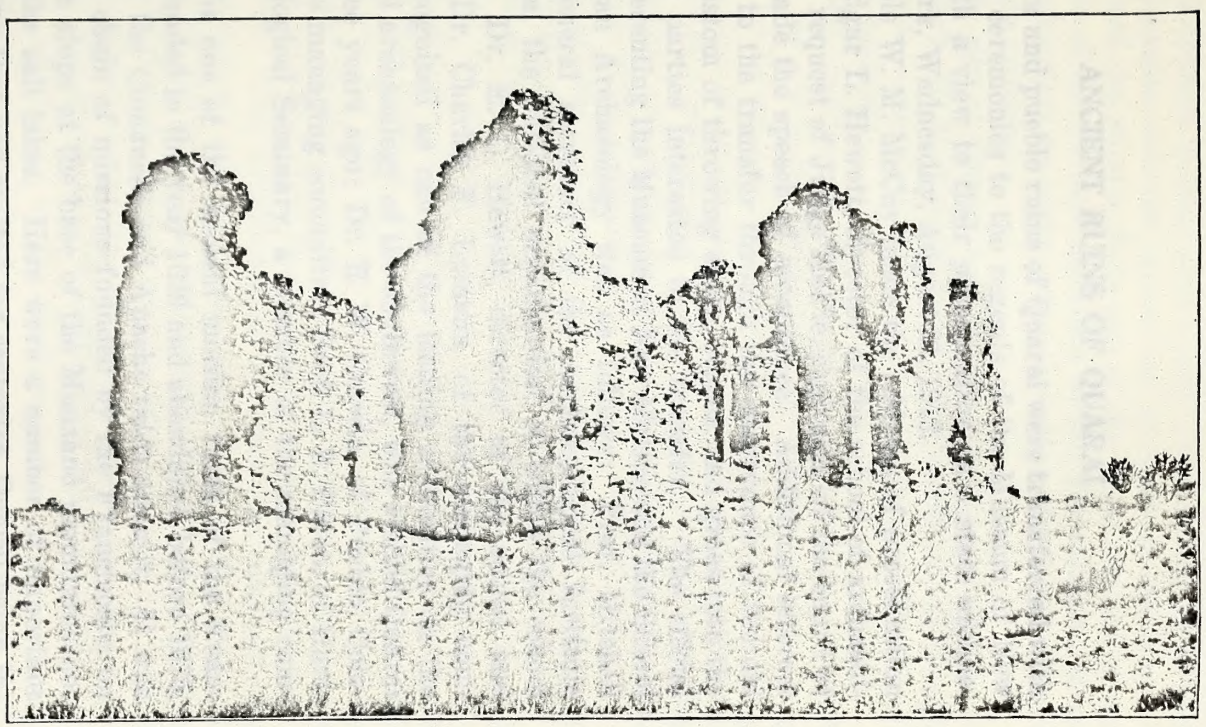
Colonel Perea failed of reëlection, but his standing at Washington was such that he was able to control the Federal ap-

pointments for the Territory until the close of Johnson's administration in 1869.

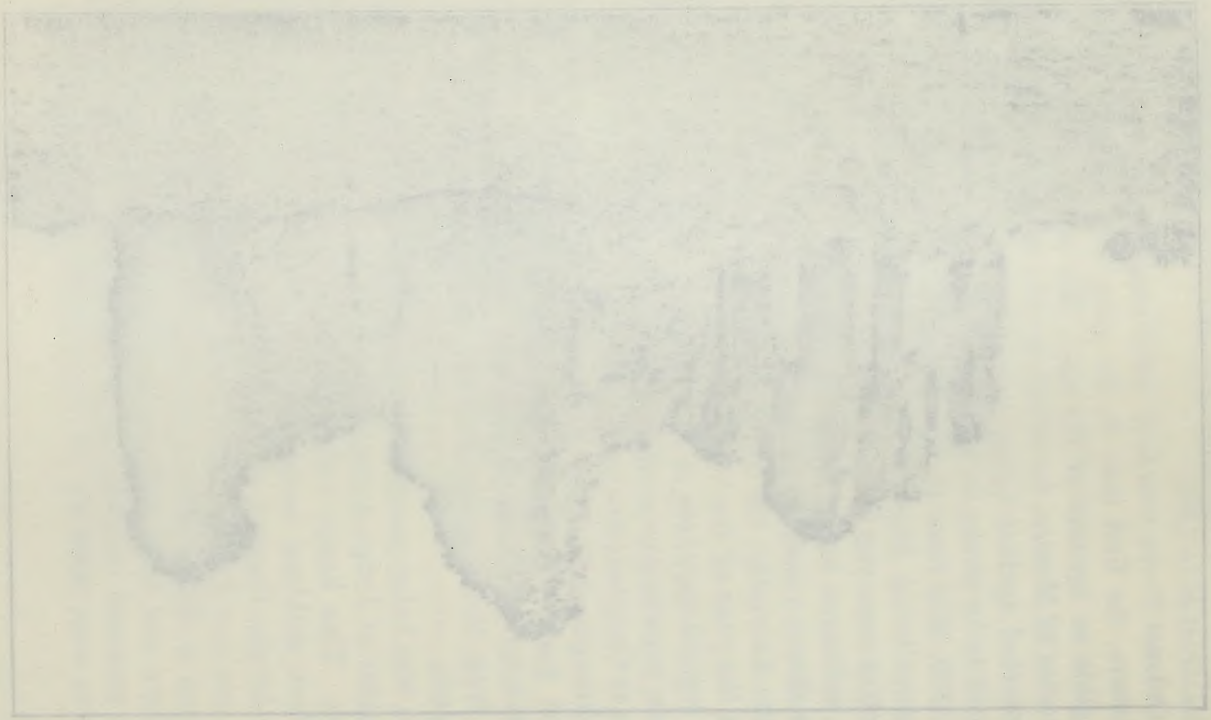
Colonel Perea was four times elected to the Territorial Legislature, the first time in the year 1851, when he was barely eligible on account of his age. Having in mind a trip to the interior of Mexico, for which he was at the time preparing, he protested against being named as a candidate and later declined to be sworn in as a member. His second election was in 1858, this time to the House of Representatives, his colleagues being Miguel Gonzales and José Lueras. His third election occurred in 1866, when he was sent to the lower house, his colleague being Benjamin Stevens. In the year 1884 he was chosen a member of the Territorial Council, or upper house of the Assembly, his colleague being Charles Montaldo. This was the year of the "rump council," the birth of the split in the republican party of New Mexico, which lasted for over ten years, resulting in sending Anthony Joseph, democrat, as delegate to Congress five successive times.

Throughout Colonel Perea's long and useful life he was noted for his industry and conservative opinions. In the Legislature, nothing pleased him more than a respectful hearing from those opposed to his views concerning any public measure.

He was twice married, the first time to Miss Dolores Otero, daughter of Judge Antonio José Otero and his wife, Chaves de Otero. This happy union occurred March 15, 1851; from it eighteen children were born, many dying in early infancy, Mrs. Amelia Parenti, of Alburquerque, New Mexico, being the only one now living. Mrs. Perea died in 1866. He was again married to Miss Gabriela Montoya, the daughter of Gerónimo Montoya and Lupita Perea de Montoya, his wife. The marriage occurred in 1875, and of which, as of the first, eighteen children were born, ten of whom survive their father.



ANCIENT RUINS OF CHURCH AT QUARAI, NEW MEXICO. BUILT 1629, DESTROYED BY APACHES 1675



ANCIENT RUINS OF QUARAI

THE MISSION and pueblo ruins of Quarai were transferred with impressive ceremonies to the regents of the Museum of New Mexico with a view to their preservation as a state archaeological park, Wednesday, August 21, 1913.

Honorable W. M. McCoy made the address of presentation and Dr. Edgar L. Hewett, director of the school of archaeology, at the request of Judge McFie, chairman of the board of regents, made the speech of acceptance. Additional interest was given to the transfer through the observance of the old Spanish custom of throwing earth, stones, and grass into the air by the parties interested in the transfer. The official party representing the Museum of New Mexico and the School of American Archaeology was as follows: Prof. Mitchell Carroll, general secretary of the Archaeological Institute of America, the national organization of which the school is a part, Dr. E. L. Hewett, director of the school and museum; Dr. Charles F. Lummis, of the managing committee, recognized as one of the leading authorities on the history and archaeology of the southwest, who visited Quarai twenty-three years ago; Dr. R. W. Corwin, of Pueblo, Colorado, of the managing committee; Prof. L. B. Paton, of Hartford Theological Seminary, a member of the managing committee.

Quarai is one of the ancient mission ruins of the Franciscans, founded in the year 1629 and abandoned before 1675, because of the Comanche and Apache raids upon it. It was one of the chain of missions founded by the Franciscans on the eastern slope at the base of the Manzano mountains not far from the salt lakes. Here were a number of important Indian towns that had existed for centuries, Quarai being inhabited by the people known as the Tigua, and others to the south being inhabited by a people known as the Piro.

Moderns have no knowledge of the population of Quarai, but it appears to have been a large town consisting of several quadrangles each one surrounded by terraced buildings. The ruins of the mission form one of the finest remaining monuments of the earliest activities of the Franciscans, these being a hundred and fifty years older than the oldest of the California missions.

The site of Quarai was bought some years ago by J. P. Dunlavy, W. M. McCoy, and J. W. Corbett, all of Mountainair, who acquired it with a view to its preservation as a historic landmark.

These gentlemen, after some consideration, proposed to deed the site to the Museum of New Mexico in order to provide for its preservation, repair and scientific excavation, this institution being the logical custodian of all antiquities under the control of the State. This offer was accepted by the board of regents, and on the 21st of August, 1913, the official transfer took place at the ruins.

The afternoon exercises were followed by an evening meeting in the auditorium of the Mountainair Chautauqua. On behalf of the Archaeological Institute of America, Professor Carroll, the general secretary, made an address, in which he dwelt upon the significance of the School of American Archaeology and Museum of New Mexico in the higher life of the State and the wide influence of such a gift as had been made by these gentlemen of Mountainair to advance the interests of the people of New Mexico in the preservation of their antiquities. The Archaeological Institute has founded schools in Jerusalem, Athens, Rome, and China and the school at Santa Fe will do for the history and archaeology of the Southwest what these foreign schools are doing for the diffusion of knowledge concerning the countries in which they are located. The Museum of New Mexico is the natural repository for the antiquities of the Southwest, and Messrs. Dunlavy, McCoy and Corbett have set an example which may well be followed by citizens in other parts of the State.

Dr. Charles F. Lummis, in a brief address, told of his love

for New Mexico, resulting from several years' residence, during which he made a thorough study of the history and antiquities of the State. He told of the commercial benefits southern California had derived through the exploitation of the history and romance of that State. He showed how New Mexico was far richer than southern California in its history and antiquities, and predicted that through proper attention to the preservation of its monuments, as exemplified in the gift of the Quarai archaeological park, the State would reap material advantages within the next fifty years.

Professor Paton then gave an illustrated lecture on Palestine in the time of Christ. It was greatly enjoyed by all present.

EDITORIAL

THE favorable reception which has been accorded OLD SANTA FE by the press throughout the Southwest is very gratifying to the management. The reviews which have appeared in the newspapers and periodicals, notably in the *New Mexican*, *La Voz del Pueblo*, the Denver *Republican* and the *Revista Católica*, have been particularly encouraging. It is expected that in future numbers the merit of the magazine will be increased, as every effort to that end will be the constant endeavor of the editors.

It is with great pleasure that announcement is made that Dr. Frederick Webb Hodge, ethnologist in charge of the Bureau of American Ethnology, Washington, D. C., and Mr. Sylvanus Griswold Morley of the School of American Archaeology, at Santa Fe, have become associated with the magazine as contributing editors, and in the future numbers will contribute articles along historical and archaeologcal lines.

In the January, 1914, number of OLD SANTA FE will appear for the first time in the English language the *Exposición* of Don Pedro Bautista Pino, with historical and other annotations. The *Exposición* is the only contribution of note to the history of the Southwest handed down to us by a native New Mexican.

In Note I of his *New Mexico under Mexican Administration, 1821 to 1846*, Mr. Bloom states "that the date of the founding of Santa Fe is not known exactly but it is very improbable that it was earlier than the date given." (1609). There is no authority for Mr. Bloom's conclusion as to the date of the founding of Santa Fe. While the exact day of the coming of the Spaniards to the site upon which the capital of the province was removed to Santa Fe from San Gabriel in 1605 by Don Juan de Oñate is unknown, it was during that year that Oñate returned from the "discovery of the South Sea."

In his *Informe al Rey*, Fr. Alonzo de Posadas (*Ms*) states as follows: "*La Villa de Santa Fe descubriola el año de 1605 el Adelantado Don Juan de Oñate, llevando en su compania algunos soldados y religiosos de mi Serafica Religion, y por presidente el Padre Predicador Fr. Francisco de Escobar.*" This would seem to settle the year, at least, in which the capital of New Mexico was founded.

On page 18, of Number One of OLD SANTA FE, Mr. Bloom, in translating from Pino's *Exposición*, has incorrectly translated the word "*Berrenda.*" This properly translated means two-colored, and is the word used for the English word antelope.

Mr. Bloom is also in error in stating that "before the Mexican Independence was secured grants of land were made by the Spanish monarch or by the viceroy in Mexico city, subject to the king's approval." There never was a grant covering areas in New Mexico, Texas, or California made directly by the king or by his representative, the viceroy.

Reference is made to these errors so that the student or reader may be correctly informed relative to the matters mentioned.

After many years research in Mexico and Spain, a copy of the coat of arms of General Don Diego de Vargas Ponce de Leon Zapata y Lujan, Marqués de la Naba Brazinas, illuminated in most brilliant color, has been obtained by the editor of OLD SANTA FE, a copy of which will appear in connection with an article dealing with the re-conquest of New Mexico in 1692-94. On some of the pages of the Journal of Proceedings, kept by General De Vargas, this coat of arms appears in black and white, showing that upon all official documents used during his incumbency of the captain generalship, it was customary to stamp his coat of arms.

This coat of arms, reproduced in oil, will shortly adorn the entrance hall of the palace of the governors, a constant reminder of the occupation of the building by General De Vargas.

BIOGRAPHICAL

COOLEY, ALFORD WARRINER; was born in Westchester, New York, April 9, 1873; died July 19, 1913. He was educated in private schools, in St. Paul's School, Concord, New Hampshire, and graduated from Harvard in the class of 1895. He studied law at Columbia University, and was admitted to the bar of New York, in January, 1898. He was inspector of common schools, New York, from 1896 to 1898, and was a member of the New York Legislature from Westchester county, 1900 to 1901. During his first term, by his independent course, he incurred the enmity of the leaders of the republican machine and was refused renomination. He carried the fight to the people of his district, however, and not only succeeded in obtaining the renomination, but, in a fight marked by intense bitterness, was reëlected by a small majority. From 1901 to 1903 he was clerk of the surrogate's court of Westchester county; 1903 to 1906, a member of the United States civil service commission, and from 1906 to 1908, assistant attorney-general of the United States. During his incumbency of this office he was sent, at President Roosevelt's direction, to New Mexico to investigate the administration of former Governor Herbert J. Hagerman, and especially the land transactions involving the Pennsylvania Development Company. Upon the basis of his report, Hagerman's resignation was demanded by the president. This was given, and shortly thereafter, George Curry was appointed governor of the then Territory of New Mexico.

Judge Cooley was apparently in good health at this time, and had no idea of coming to New Mexico. Something less than a year after this he ascertained that he had contracted tuberculosis and came to Fort Bayard in an attempt to regain his health. He remained there some months, and then moved to Cat Canyon, where he resided until he was ap-

pointed, in the early days of the Taft administration, associate justice of the supreme court of New Mexico and judge of the then sixth judicial district, with headquarters at Alamogordo, succeeding Judge Edward A. Mann. Judge Cooley made a splendid record on the bench, and it was with great regret that his resignation was accepted after he had served a little over a year. His health, which had been considered sufficiently recovered for him to accept the appointment, broke down under the strain of overwork. His death was really due to the conscientious discharge of his duties as judge, for he never saved himself, but gave the powers of his splendid intellect and rare good judgment to the State.

After his resignation as judge had been accepted, he returned to Silver City. For a time he made his home with the Misses Eckles. Afterward he occupied the bungalow which he built near the New Mexico Cottage Sanatorium. During a visit of Lars Anderson, former ambassador to Japan, the Judge availed himself of the opportunity to go east in the Anderson's car, the Mayflower, to Providence, Rhode Island, and take the Friedmann "cure." This proved of no benefit. For the last two months he had been living at Topsfield, a few miles from Beverly Farms, the summer home of Mrs. Cooley's parents. As "day was dying in the west, and heaven was touching earth with rest" and flooding with mellow glow the beautiful Berkshire Hills, the summons of the Great Conqueror came to the distinguished jurist, and he paid the debt which all must pay unto fate, and none can tell the day it will be due.

Judge Cooley had been until last fall a staunch republican in politics, but his admiration and affection for his friend, Colonel Theodore Roosevelt, caused him to join the progressive party. Although sick and unable to attend, he was elected a delegate from Grant county, New Mexico, to all the conventions of the latter party and was represented by proxy. He was a member of the executive committee of the state central committee of the progressives. Until early in 1913 he was a member of the board of regents of the Normal

School in Silver City, and the University of New Mexico at Alburquerque. During his residence in Alamogordo he served as president of the board of regents of the School for the Blind. While living in Washington, he was a member of the famous "tennis cabinet" of former President Roosevelt, along with Gifford Pinchot, James R. Garfield, M. Jusserand, the French ambassador, and others.

In Judge Cooley's death the State of New Mexico has lost one of its most brilliant citizens; the bar a leading advocate; the bench one of its most eminent jurists; the cause of education a staunch champion, and the progressive party a valued leader.

Father Alexander Leone, S. J., seventy-four years old, assistant pastor of the Sacret Heart church, died at 4:25 o'clock p. m., July 26, 1913, at St. Joseph's hospital, Alburquerque, N. M. He was one of the pioneers of the Jesuit order in New Mexico.

He was born December 28, 1838, at Sorrano, Province of Leece, Italy, and entered the Jesuit order October 26, 1855, when he was only seventeen years old. He spent two years of his probation at Conocehia, near Naples, where he completed his literary studies.

In 1860, when the Jesuits were expelled from the kingdom of Naples, Father Leone was sent to Lepuy, Haute Loire, France, where he spent three years in the study of philosophy and natural science, according to the curriculum of the order. He spent five years teaching in several French colleges and when he was ready to prepare for the priesthood, was sent to Spain, where he made his four years of theology. After he was ordained he went to Belgium to make his third probation.

While Father Leone was in Belgium the late Archbishop J. B. Lamy of New Mexico, visiting Rome, in 1870, attending the Vatican council, solicited Father Beckers to send some Fathers to New Mexico. Father Leone and Father Tomasini, present superior of the Jesuit community of Old Albur-

querque, were the first to be sent, the former arriving in the State (then Territory) in 1870.

Father Leone held almost all of the offices in the society in this mission. He was secretary to Archbishop Lamy, and local superior at La Junta, Colorado, and Isleta, Texas. However, he employed most of his time and showed his particular talent in apostolic missionary work. He preached in nearly every parish in New Mexico, the El Paso district, and Chihuahua. All who heard him say that he was the most forcible speaker in the Spanish language in New Mexico.

The Church of the Sacred Heart was opened by him in 1900. He conducted the parish for three years. He then went to Las Vegas to help in the publication of *La Revista Católica*. Later he returned to the Sacred Heart parish.

Funeral services were held at the Church of San Felipe de Neri, July 29. Archbishop J. B. Pitival and a large number of priests assisted at the services. The remains were buried at Santa Barbara cemetery.

OLD SANTA FE

JANUARY 1914

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CONTENTS

New Mexico under Mexican Administration, 1822-1846 . . . . . REV. LANSING BARTLETT BLOOM

The Re-Conquest of New Mexico, 1692 — Extracts from the Journal of General Don Diego de Vargas Zapata Lujan Ponce de Leon

Reverend Samuel Gorman — Memorial . . . . . MRS. SAMUEL GORMAN 308

Map of Santa Fe, 1768

El Palacio Real . . . . . PAUL A. F. WALTER

Notes — Reviews — Correspondence

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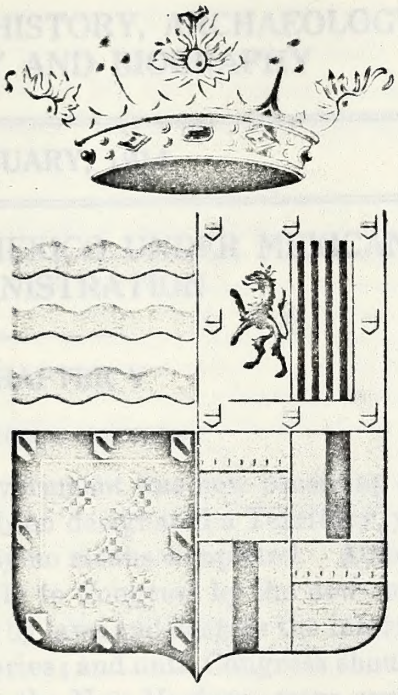
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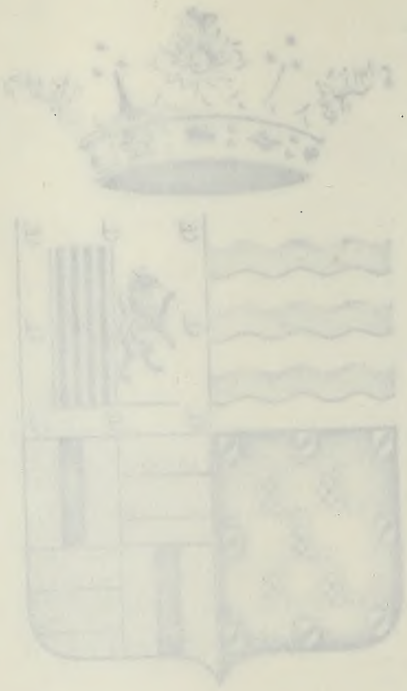


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OLD SANTA FE

A MAGAZINE OF HISTORY, ARCHAEOLOGY
GENEALOGY AND BIOGRAPHY

Vol. I JANUARY, 1914 No. 3

PART III—NEW MEXICO UNDER MEXICAN ADMINISTRATION

CHAPTER V

ECONOMIC MATTERS

ALTHOUGH the national government was now becoming organized and New Mexico had been designated a Territory, yet her organization as such was by no means completed. Among the powers reserved exclusively to Congress by the new constitution was that of arranging by laws and decrees the internal administration of the Territories; and until Congress should give this matter their attention, the New Mexicans were controlled by the Spanish laws of 1812 and 1813 already noted, laws which were ill suited in many ways to the conditions and needs of New Mexico.

No young people have ever subsisted long on patriotism alone, and if the people were to become a vigorous, coherent commonwealth, either they themselves or the national government for them would first have to solve the problem of finance.

The records during these years are too fragmentary to do more than suggest the main items on which to base a fiscal statement, but these may be supplemented by various minor items and proceedings of the two years during which Governor Baca held office.

Comparatively the heaviest expense met by the inhabitants

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A MAGAZINE OF HISTORY, ARCHAEOLOGY
GENEALOGY AND BIOGRAPHY

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was that which they stood for the support of their religion. Between the tithes paid to ecclesiastical authorities outside of the Territory and the fees and contributions paid locally, this was apparently the largest item to be placed in their credit column. A temporary relief for the poorer people in this matter was initiated by the priest at Cañada. Existing conditions are revealed by his first communication to the governor on January 5, 1824.[167] His proposal was appreciated by the

[167] Lib. of Cong., *N. M. Archs.*

"Being firmly persuaded, as I am, that the Hacienda of the Curates is the Patrimony of the Poor and Chiefly of their parishioners according to Canonic right, and also since I understand, and natural reason tells me that, if the Pontiffs grant spiritual indulgences Upon their exaltation to the Apostolic See, Kings privileges Upon their elevation to the throne, and all other authorities in entering upon their ministry show some favor and equity to those under their command, Curates being Ministers so adorned and posted not very far from the first ranks of the order. Why should not they, in entering upon a benefit or continuing therein, do some favor to their parishioners? in that which they may be Able and as may be Fitting on their Part? even when it may not be For a favor yet perchance By the stimulus of their Conscience being aroused by [the thot of] that satisfaction which they may have to render For their bad shepherding, How does anyone lack defects in the fulfillment of his duty?

"Persuaded of all As I have Stated and moved by my conscience I inform Your Honor that I have determined that, For the period of the months of January, February, and March, no one of my parishioners need pay me any fees for Baptism, Marriage, and Burial (*esepto la Porpa*) Because By this indulgence it is going to be assured that as many as may be in concubinage and do not get married For lack of the Pittance for the curate shall marry and emerge from the evil Estate &c. Should Your Honor find this my resolution Agreeable may you Deign to report it Without Loss of time to the Señor Alcalde of this Villa So that in Public Council and by means of edict he may inform all my parish, and further if you should deem it well may it be Circulated Thru all the jurisdictions of your Province in Order to see whether the Srs. Curates and Ministers, my Brothers, are incited to [like] favor and justice towards various Citizens who are contributing so greatly in service to the Fatherland.

"God and Liberty. Cañada January 5 of 1824.

"Bachelor Manuel Rada [rubric]

"[to] Sr. Jefe Político
of this Province."

(The governor's notation of his reply to this communication, expressing his appreciation and compliance, appears on the margin, dated January 8, 1824.)

Again, on January 10th, Rada made a further statement of his reasons for the course he proposed; and another manuscript shows that on the 12th he appeared in Santa Fe to advocate the matter before the governor and other officials. (Lib. of Cong.)

civil authorities in Santa Fe, but even if other priests of the Territory coöperated in the relief thus extended, it could have only temporary effect.

A few days later (January 17th) and perhaps suggested by the proposition of Rada, Presbyter Juan Tomas Terrazas, curate of Santa Fe and a member of the Deputation, presented before that body an *exposisión*, the object of which was to secure the privilege of using the tithes of New Mexico for their local needs.[168] The Deputation forwarded this document to Deputy Alarid in Mexico, and in the following August they heard from him that the necessary permission had been granted. Thus a fund was assured which would provide, partially at least, for two of their most important needs.

A gratifying relief, which was also secured through Deputy Alarid, was the suspension of national taxes. On November 15, 1824, the Deputation heard from Alarid that he had succeeded in securing such exemption for the period of ten years.[169]

In April, 1824, and therefore before they had been granted the use of the tithes, the principal commandant reported that the small veteran troop was absolutely perishing from hunger. The Deputation met the emergency by directing the governor to arrange a contract with the renter of the tithes for the immediate relief of the soldiers.

By the following November, however, this troop had become reduced to thirty men, and at the suggestion of Governor Baca

[168] This *exposisión* was evidently the basis of a communication of "Most Serene Srs. of the Supreme Exec. Power of the Republic of Mexico." Very possibly Congress had referred him to the executive authorities, which might account for the late date. He described to them the distressing conditions in New Mexico, as set forth by the deputation in their session of January 16th: "The bishop and deacons of Durango, not content with requiring the tithes, are requiring also the ninths (*novenos*) which the Crown of Spain reserved to itself as pertaining to the royal Patrimony and the revenues of which have always been employed for the public schools and for the support of the Troop." New Mexico had been neglected by her bishop for sixty-four years and was destitute of temples and ministers, yet the Durango authorities begrudged said funds to the presidial company and to the schools and were demanding their payment. Through him, New Mexico asked that the tithes be applied to those two objects. (Lib. of Cong., *N. M. Archs.*)

[169] Fed. L. O., *N. M. Archs.*, November 15, 1824. The new Congress thus con-

the Deputation then petitioned the national authorities that the troop be abolished on the grounds that it interfered with the instruction and discipline of the militia. In the following March, Alarid reported that this request had been granted; but, meanwhile, half the proceeds of the tithes were applied to the needs of this veteran company, and the tithe-collector was notified that the balance was to be used to foster public instruction among the people, as enjoined by the Federal government.[170]

Out of the funds which had been thus secured, salaries were planned for a teacher and his assistant in Santa Fe of 1,000 and 300 *pesos* respectively; and primary schools were decreed for Alburquerque and Santa Cruz de la Cañada with two teachers each at 300 and 100 *pesos* respectively.[171]

This plan for public education did not work, and as the organization of the public funds had not yet been completed, a change in the plan was decided upon in July, 1825. The governor was to receive voluntary subscriptions for the maintenance of a public school in Santa Fe, and then, without exception, parents were to be required to send their children to the school thus provided.

On the same day (July 19, 1825) the following were elected as comptrollers for the three county seats: For Santa Fe, Francisco Perez Serrano; for Alburquerque, Gregorio Ortiz; for Cañada, José Manuel Salazar. The duties and powers of these officials are not stated, but it is probable that they were to *visé* the accounts and funds of the *ayuntamientos* in their respective *partidos*.

A record which gives some insight into municipal finances was left by the Deputation on January 15, 1824:

firmed a similar action of the national authorities the previous year. On December 3, 1823, Governor Baca had given the deputation the very acceptable news that a seven years' suspension of taxes had been decreed. (Lib. of Cong.)

170 V. *note* 137 on national militia.

171 This was modified in December by their deciding that only 2,000 pesos should be appropriated for school purposes. The amounts would indicate that the tithes were yielding less than formerly, or more probably that the Federal government had allowed them only part of this fund.

An *oficio* from the Alcalde of 1st Election of this Capital was taken under consideration, in which he submitted various doubts and indicated the obstacles for their proper fulfillment which were presented by the articles of the regulation of January 4th of the past year, upon the collection of internal taxes for the public funds. It was resolved that the said doubts of the above alcalde should be answered as follows:

1. that every individual placed in jail, whatever may be the time that he remains there, must meet the cost of his imprisonment.

2. that the tax of 4 pesos imposed on *las chusas* may be greater or less at discretion.

3. that a like course may be observed with showmen, the impost in the instruction regarding ropes remaining in force.

4. that those indispensable expenses will be allowed which in the judgment of the Ayuntamiento may be necessary for the discharge of their duties, being guided in their choice of a town-house by the laws in force.

5. that the license for the game of *Canuto* may be given for the same 2 *reales* as is paid for *bailes*, but with the condition that wherever this diversion may be, a monitor be present both to prevent any disorder and also to see that the sons of family are not allowed, nor domestics subject to paternal power.

6. that the alcaldes may take the greatest care to punish thieves who sell live stock, large or small, and likewise their accomplices, the buyers, sentencing the latter to a fine of 2 pesos and imprisonment, which the alcalde may regulate according to the gravity of the theft, sending the former to the houses of Correction or the workshops for that object.

7. that while currency is scarce [172] and according to the means of the subject upon whom fall the pecuniary penalties, the alcalde may receive effects of the country, being careful to select such as are useful for meeting the expenses of the Ayuntamiento, and that they may not, by their poor quality or high price, retard the change into money which is desirable so that the fund to which they pertain may be enlarged:

That to the Alcalde of Santa Fe in reply to his communication of this day the decision of the Deputation be communicated, and that the same decision be passed to the Jefe Político so that he may circulate it to the other alcaldes. (Signed) BARTOLOMÉ BACA.
JUAN BAUTISTA VIGIL.

[172] On August 16, 1824, it was stated that false money had been circulating for some years, despite the efforts of three governors to suppress it. Fed. L. O., *Arch.*

The minutes thus recorded in the legislative records show that, on January 4, 1823, the Provincial Deputation had undertaken to regulate municipal revenues for the various *ayuntamientos*, and that the provisions then prescribed were now under review. In short, the Deputation had the power to create and to supervise municipal *arbitrios*. The National Congress, on the other hand, which should have performed a like service for the Territory as a whole, had failed to do so, the result being that the Deputation was seriously impeded in their efforts along most lines of common interest. Had some equitable system of taxation been provided the revenues of which should be devoted to the needs of New Mexico, the history of succeeding years would have been radically different.

One fund which had to be maintained was that for "gratifying" their Indian "allies" — which was a euphemism for persuading their Indian enemies to keep the peace. In 1824 they had their deputy ask Congress for aid in this matter, and Alarid reported that it had been granted. The requisition which they made out amounted in value to 6,000 *pesos*. The Pueblo Indians, on the other hand, made an annual "contribution," but how much was thus secured is not shown.[173]

An impost of four *reales* a load was placed on those citizens of El Paso who used the salt-deposits belonging to the Territory, professedly because the salt was getting scarce, but one is led to suspect that it seemed to them a chance to secure a little revenue. The first alcalde of Tomé asked that certain direct taxes be allowed on travelers passing through the country, but it was not thought wise to place any trammels on the small amount of commerce and traffic that then existed.[174]

One of the largest expenses for which the Deputation had to provide was for the deputies to Mexico. When Vigil returned from Chihuahua in the fall of 1824, he agreed to a liberal discount from the salary due him, and even then he accepted produce in part payment.[175] Possibly a fact which strongly in-

[173] Fed. L. O., *Archs.*, October 1 and December 12, 1824.
[174] Fed. L. O., *N. M. Archs.*, October 18 of 1824; April 12, 1824.
[175] *Id.*, June 18, 1824.

fluenced the choice of Alarid as deputy to Mexico was that his being in Durango at the time would save in traveling expenses. Again this same difficulty had to be faced in the fall of 1824 when the choice of the Electoral Junta designated Santiago Abreu as deputy to Congress.

In this case, the reluctance of the Deputation to shoulder the expense was very manifest. As Alarid had given such excellent service in Mexico, one member suggested that they dispense with any deputy and make Alarid their agent. This would not do, of course, so finally a committee was sent to confer with Abreu and he agreed with them on 2,000 pesos for going and the same for return.

Some feeling developed over the matter and in November Abreu seems to have expressed impatience at the delay and also at the limited allowance they were making him. They told him that he might start as soon as the funds were collected, but that they would not compensate him for a distance of 800 leagues. They had positive information that it was not over 600 leagues to Mexico City, and 4,000 pesos was the most that they would pay him.

The matter dragged along until the following March, when Manuel Rada, alternate to Abreu by the October election, offered to the Deputation to go at his own expense. His offer was appreciated but, on the grounds that the election laws had not been complied with in October, they asked Alarid to continue to serve until the Chamber of Representatives should decide the question.[178] The Electoral Junta had also failed to elect members for the new term of the Territorial Deputation, so that a new election was necessary; and they asked that Abreu's election be settled at the same time. This was done,

[178] Lib. of Cong., *N. M. Archs.* September 8, 1824, Manuel Rada reported to Governor Baca from Cañada that he had been elected from that primary. The Electoral Junta met on the first Sunday of October and named Santiago Abreu, who at the time was the first alcalde of Santa Fe. The absence of two members of this Junta made the election irregular; and they failed also to choose on the following day the members of the new Deputation.

both elections being effected in May, 1825, and Abreu then succeeded Alarid in Mexico.[177]

In a statement presented to Congress in January, 1826, the minister of hacienda said that the report for New Mexico was far from flattering. At first, the internal revenues were collected by the first alcalde of Santa Fe, thanks to the zeal of the *jefe político*, but "sealed paper was almost unknown, and from this one can imagine the rest."[178] Later, in accordance with a sovereign decree, Juan Bautista Vigil had been commissioned as administrator, whose conduct was guaranteed by the same *jefe polìtico*, Bartolomé Baca.[179]

Vigil had been sent the general tariff to guide him in case of any introduction of foreign effects at that port on the frontier. He had likewise been sent 3,400 seals of all classes, and the instructions requested would enlighten him on the other precautions of security in the collection of the national duties.

[177] Lib. of Cong., *N. M. Archs.*; Fed. L. O., *Archs.*, March 9, July 16, 1825. The elections resulted:
Deputy to Congress — Santiago Abreu.
Alternate — Manuel de Jesus Rada.
First Territorial Deputation, elected May 15, 1825:

	DEPUTIES	ALTERNATES
1.	Francisco Ortiz.	Pablo Lucero.
2.	Francisco X. Chaves.	Gregorio Ortiz.
3.	Rafael Sarracino.	Juan Rafael Ortiz.
4.	Sr. Cura de Tomé D. Francisco Ygnacio de Madariaga.	Francisco Perez Serrano y Aguirre.
5.	Severino Martinez.	José Francisco Ortiz.
6.	Juan Felipe Ortiz.	Agustin Durán.
7.	Antonio Sandoval.	————(?)

[178] September 15, 1824, Alarid wrote from Mexico that he had not yet heard from them (since February 19th!), and his commission was expiring. He asks to hear by return post. He defends himself at length (fourteen pages) for the course he had pursued in the matter of statehood, denying that he had informed Congress that the Province resisted union with Chihuahua. Later (December 31st) he expressed gratification that his efforts had been approved. He could have no place in the new Congress to be installed next day without first receiving new authority from New Mexico. "Therefore New Mexico will be unrepresented until either the new deputy arrives or I have new power. As Congress is to sit only three or four months each year, the deputy should come at once." Lib. of Cong., *N. M. Archs.*

[179] This alcalde was Santiago Abreu. The ten years of release from national taxation does not seem to have included internal revenues.

A statement of the customs revenues of New Mexico for the first eight months of 1825 shows that the importance of this source of revenue was just beginning.[180]

Balance on hand from 1824	576.	3.	6.
Importation at various rates	——	—	—
Internation at various rates	2,506.	7.	6.
Exportation at various rates	——	—	—
Tonnage-duty	——	—	—
Anchorage-dues	——	—	—
Excise-duties	511.	5.	0.
Deposit on account of duties	——	—	—
Total receipts	3,595.	0.	0.
Expended	453.	2.	0.
Net proceeds	3,141.	6.	0.
Deficit	——	—	—

Aside from the item "*Internación*," this table shows that the balance for the whole of the year 1825 would have been about 100 *pesos* greater than that for the preceding year. The significance of this statement lies in the fact that, during the last eight months of Governor Baca's term, duties on importations were collected to the amount of over 2,500 pesos. The commerce over the prairies was already showing results. Not only would the people of New Mexico have the benefit of cheaper and better goods, but also the Santa Fe trade offered to the administration a possible solution of their financial problem.

[180] Univ. of Calif. Lib., *Mem. Hacienda*, January, 1826.

CHAPTER VI

TWO YEARS OF QUIET DEVELOPMENT

José Antonio Vizcarra had retired from the office of "Commandant of Arms" in February, 1825, with the sincere regrets of the Deputation. In July, the speedy arrival of Antonio Narbonna as his successor was looked for, but trouble with the barbarous Indians which threatened in August had been averted before he reached Santa Fe.

Narbonna arrived in that villa on September 13th, and two days later the Territorial Deputation received notice from the minister of relations that the supreme government had appointed him *jefe político* also. Accordingly he appeared before the Deputation on the afternoon of the 15th and took oath in the hands of the acting president. Thus again was one man both civil and military head of New Mexico.[181]

Narbonna was a European by birth and had previously been "Commandant of Arms and Political and Military Chief of the Province of Sonora." During the years of his service in New Mexico comparative quiet seems to have been maintained through his ability and through the policy of "gratifying" the Indians by gifts.[182]

[181] Governor Baca was probably in the field against the Indians this summer; for Francisco X. Chaves, who was again a member of the Deputation, presided during August and September. Deputy S. Abreu, over date Mexico, August 10, 1825, wrote to the "Sr. Jefe Pol. Into de N. Mex." asking for a statement of the sums given him that he might present it to the Chamber. The reply showed the amount to have been 1,156 pesos. (Lib. of Cong., *N. M. Archs.*) V. Fed. L. O., *N. M. Archs.*, July 18, 1825; Bancroft, 315.

[182] Fed. L. O. *Arch.* no. 1091; Lib. of Cong., *N. M. Archs.*; a letter of July 8, 1823, addressed to Narbonna as *Tente Corl Comte de Armas y Xefe Politico y Militar de la Provincia de Sonora*; also MSS. relating to "gifts" to Indians from 1825 to 1827.

Narbonna seems to have been a firm, dignified, and just soldier and official. The recalcitrant José Fr. Baca (v. over *note* 147 *ante*) heard from him on December 29, 1826. Baca was first alcalde of Santa Fe (in succession to S. Abreu), and

In the fall of 1825 the Deputation undertook to secure better military protection. By their direction Deputy Santiago Abreu introduced a bill in the Chamber of Representatives in Mexico City on January 17, 1826, which asked for four companies of cavalry to be stationed on the four frontiers.[183] On May 31st, Abreu reported the law as passed, but Congress had not given them all they asked. The Territorial Deputation referred the matter to a committee, which reported on July 10th, and they then decided:

1st — that one Company be formed equally by Santa Fe and Cañada.

2nd — that the other Company be formed by Alburquerque and Tomé.

3rd — that the headquarters of the first be at Santa Fe, and of the second at Alburquerque.

4th — that lists of up to 75 men in each of said jurisdictions be formed by the Ayuntamientos, so that the Deputation and the jefe político may decide on those who must be employed.[184]

in December he and others who were members of the local election board had ignored the governor's orders and disobeyed the laws of election in making one Pablo Ortega first alcalde, and in other regards also. Narbonna ordered them to reassemble within two hours, and within one hour to report in writing a new election. (Lib. of Cong., *N. M. Archs.*, 11 A. M. of December 29, 1826.) That the Indians were under control is probable from the lack of data to the contrary. José Fr. Ortiz represented Governor Narbonna at Chihuahua in 1826 in the ratification of a treaty with the Comanches. The only other item found relates to a Laguna-Zuñi quarrel, January 15, 1826.

183 The National Militia (v. *note* 133 *ante* on organization in 1823) had done good service but a paid force was imperative. The four new troops, Abreu proposed, should be stationed at "Fray Cristoval; Laguna, Sebolleta, or those parts; Rio Colorado or Taos; and the last in el Bado" thus covering the south, west, north, and east frontiers. (Lib. of Cong., *N. M. Archs.*) In March of this year, the veteran troop had been ordered disbanded, yet in January, 1826, there were soldiers stationed at Tomé and Sevilleta to conduct the mails, and the treasurer's accounts of that year indicate a paid force of over seventy-five men. Of the two companies now granted by Congress, that which the Deputation located at Santa Fe doubtless supplanted the old troop, the former soldiers making the nuclei of the new companies. Perhaps Congress failed to provide funds even for the second (Alburquerque) company, for the census of 1827 returned only the Santa Fe company. The latter had husbands and wives, 115 each, single males 153, and females 207, widowed men 7, and women 1; showing that most or all of the soldiers were men of family.

184 Dubl. y Loz., *Compil.*, March 21, 1826; Fed. L. O., *legis. minutes*, July 10, 1826. Thus sufficient men for the two companies granted were to be selected out

In the preceding chapter it was stated that the election of October, 1824, was supplemented by another in May, 1825; yet from one cause or another there were four vacancies in the Deputation at the beginning of 1826. In order to meet the requirements prescribed in the decree of July 11, 1823, the ayuntamiento of Santa Fe was asked to attend on January 4th and select four more deputies.[185] In the fall of this same year, a regular election was held and the deputies for the new Territorial Deputation took their seats on October 16th, Colonel Narbonna making a neat little speech. Deputy Serrano was then elected secretary at a salary of forty *pesos* per month, out of which he was required to compensate an assistant in the official business.[186]

In ecclesiastical administration there was an improvement in several respects with the year 1826. Over the date of Durango, January 1st of that year, Agustín Fernandez S. Vicente wrote to the Deputation, "I have been named *Vicario General Foraneo* for that Territory." [187] On January 13th, he replied

of 300 on the four lists. A Federal decree of May 20, 1826, from the war department, forbade anyone condemned as a thief to be used as a soldier while doing time. Dubl. y Loz., May 20, 1826. V. Read, *Illus. Hist.*, 365.

[185] Fed. L. O., *legis. recs.*, January 3 and 4, 1826. V. *note* 172 *ante.* Serrano and José Fr. Ortiz were chosen on that day (with six and five votes respectively). The other two are not named; probably one was A. Durán.

[186] Fed. L. O., *legis. minutes*, October 16, 1826. The members of the second Territorial Deputation were:

	PROPRIETARY	ALTERNATES
1.	Francisco Perez Serrano y Aguirre.	Manuel Ruvín de Celis.
2.	Antonio Ortiz.	José Maria Ortiz.
3.	Francisco Baca y Ortiz.	3.
4.	Gregorio Ortiz.	4.
5.	José Francisco Ortiz.	5.
6.	Pedro Ignacio Gallego.	6.
7.	Francisco Sarracino.	

(In none of the eight Provincial and Territorial Deputations has any trace of a seventh alternate been found.)

[187] Lib. of Cong., *N. M. Archs.*, autograph letter, January 1, 1826. Fed. L. O., *legis. mins.*, April 14, 1826, has "*el Sor. Prevendado D. Agustín Fernandez de San Vicente, Vicario gral. de este Territorio.*" His prebend would be connected with the espicopal see in Durango. Salpointe represents him to have been vicar-general for the whole diocese of Durango. V. also letter, Vicente to Narbonna, January 13, 1826.

to a letter which Governor Narbonna had addressed to the bishop, now deceased, and informed him with regard to two moves of local clergy. Bro. Fernando Ortiz had been transferred from Socorro to Santa Fe, where he was now to serve with the title of "military chaplain" (*capellan castrence*); and the curate, vicar, and ecclesiastical judge of that capital was directed to fill the vacancy at Socorro.

The new vicar-general made a pastoral visit to the missions of New Mexico soon after his appointment. His report described the parochial church in Santa Fe, also three public chapels there, and private oratories in the houses of Antonio Ortiz, Juan Bautista Vigil, and Pablo Montoya. The chapel of the Third Order of St. Francis was abolished by the vicar; and at the close of his report he complained that the Regulars were insubordinate to the orders of their bishop, induced thereto by the padre custodian and Governor Narbonna.[188]

It will be remembered that, in reply to the petitions from New Mexico, the Spanish Cortes twenty-three years before this had decreed both the establishment of a collegiate seminary and also the erection of a separate bishopric at Santa Fe. The latter request was not yet treated seriously, and in view of the fact that no bishop had showed his face in New Mexico for over sixty years, it would be interesting to know what were some of the episcopal "decrees and dispositions" which were thus disregarded by the Regulars. The New Mexicans certainly had decided views on the scandalous situation and they did not hesitate to express themselves forcefully in the matter. A severe criticism of the failure to secularize the missions as they had requested[189] stands in the minutes of July 11, 1826.

[188] Salp., 160-1. This author states that the modern penitentes are an illegitimate offshoot of the third order of penance, a Franciscan institution of the Spanish period. In Lib. of Cong., *Archs.*, three letters from Baltazar Perea relate to efforts to secure a primary school and a chapel in Bernalillo. Through the vicar-general he thanks the governor for the necessary permission (*licencia*) to establish a chapel *en este partido de Bernalillo.* Interesting and detailed descriptions of the military chapel, the parish church, and the chapel of Our Lady of Guadalupe in Santa Fe are given in Twitchell, ii, 150-3.

[189] On August 16, 1824, the Deputation had asked the bishop to secularize the missions of Taos, S. Juan, Abiquiú, Belen, and Bado.

President Narbonna expressed "doubt as to the motive" by reason of which the secularization of missions had not been accomplished. Curate Madariaga of Tomé and four of the other six *vocales* expressed themselves in like vein, saying that the need for some remedy in this matter was constant and pressing. They voted to urge upon the vicar that he receive the missions which the most excellent Deputation had recognized as requiring secularization, and that he give notice how it might best be effected. This petition at last attained the end desired, for we are told [190] that the five missions which had been named were secularized during this year and that secular priests were provided.

Happily the diocesan authorities had not needed such pressure with regard to the collegiate seminary which was established this spring in Santa Fe. On April 14th the Deputation received two communications, one of them being from the Rev. Padre Provincial del Santo Evangelico who recommended that they appoint the Rev. Padre Fray Sebastian Alvares as rector of the proposed college. The other was from the R. P. Custodian Fr. Sebastian Albarez in which he informed the Deputation that his R. Provincial had appointed him for the term of five years over "our new college," and he hoped to serve until 1831, *Deo volente* (God willing). He further asked them to prepare the rules which they deemed suitable to control the operations of the school. They replied to Alvares thanking him and informing him that the regulations would be given him in due season by the vicar-general whom they were naming "protector" of said college. They addressed another communication to the vicar-general, stating that they had so designated him and asking him to outline the plan of rules and course of studies. He replied on May 18th that he expected soon to receive such a plan of public education for which he would wait; but meanwhile he had arranged a temporary plan with the "Very Rev. P. Teacher Fr. Sebastian Alvarez." [191]

[190] Salp., 160.

[191] Fed. L. O., *legis. mins.*, April 14, 1826; Lib. of Cong., *N. M. Archs.*, January 1 and 13, April 14, May 18, 1826.

On the following day, May 19th, this college for the instruction of young men was opened.[192]

The hope of Alvarez for continued service in Santa Fe was not realized, for in 1827 he was succeeded as custodian of missions by Fray José Pedro Rubin de Celis; and shortly afterwards Vicar-General Agustín de S. Vicente was succeeded by Juan Rafael Rascon.[193]

In fact, the college does not seem to have made a good start under Alvarez.[194] At least, we are told that Padre Martinez this same year opened a "college in his own house at Taos, and youths who wished to study for the priesthood came to him from different parts of the Territory. He employed teachers in part at his own expense, but he himself taught and directed the work."[195]

As to public schools, the subscription plan initiated in July, 1825, was followed up by Governor Narbonna. In October he sent a notice to all the alcaldes throughout the Territory directing them to assist Presbyter Juan Felipe Ortiz, who had been commissioned by the Deputation to collect voluntary contributions for the establishment of schools.[196] The Deputation appears to have had a school in Santa Fe aside from the "college," during both of Narbonna's years in office. There are references also to schools in Alburquerque and Cañada and Bernalillo, but what others and of how long sessions is not known certainly.[197]

Outside of the Territory during this period, there was serious trouble in Texas. The Fredonian War which occurred in December, 1826, was a premature effort to wrest all or much of that Territory from Mexico. Two years before, the gov-

[192] Salp., 160.

[193] Barreiro, *Ojeada*, 38.

[194] There was trouble this winter over corporal punishment as administered by the Spaniard who was teacher in Santa Fe—probably a reference to Alvarez. V. Fed. L. O., *legis. mins.*, February-March, 1827.

[195] Sanchez, *Memorias sobre la Vida del Pro. Anto Je Martinez*, p. 16.

[196] Lib. of Cong., October 5, 1825.

[197] *Id.*, June 2, 1826; Fed. L. O., February-March, 1827, *et al.* Most of the seventeen teachers and eighteen schools included by Narbonna in his statistical tables must have been hoped for rather than realized. V. Escudero, "Pino," 57.

ernment had made a single grant of 12,000,000 acres to one Hayden Edwards, along the Trinity River to its mouth. In this insurrection at Nacogdoches, he and another man named Hunter attempted to set up an independent republic in that eastern part of Texas.[198]

Stephen F. Austin assisted in suppressing this uprising which course on his part was later thought to have lulled the Mexican mind about Texas until she was colonized strongly enough to secede.[199] The authority cited believed that Austin had the same purpose in an "exposition" which he gave out to the public on Texan affairs. Nevertheless, what Austin stated in that document had good sense in it and a quotation will be of interest.

> The commerce from the ports of Texas to the interior of the Republic by land presents advantages almost equal to that of the coasting-trade, since the country is level and well-suited for wagon roads to Monclova and the villas of Coahuila, to el Paso del Norte in Chihuahua, and to New Mexico. It is worthy of notice that annually nearly $2,000,000 in merchandise enters New Mexico and Chihuahua from the Missouri, crossing a desert of more than 400 leagues. This commerce is entirely outside the natural channel which the geographical situation of the country and Nature herself have marked out, since these evidently designate the ports of Texas. There is no difficulty in opening wagon roads from Texas to the State of Chihuahua and to New Mexico, whose distances would not be the half of that by which merchandise from the Missouri is now transported, and they would pass in all their length through Mexican territory by the interior of Texas, which is suited for population and would furnish abundant resources to facilitate the transportation. The need of opening these roads is certainly of the greatest importance, since it would change the course of commerce which now comes from the Missouri from that foreign country to the Mexican ports of Texas. . . It would change the isolated and solitary position of Texas, drawing her closer to the most remote internal States by the facility of transportation. . .

Austin may not have been wholly sincere, but this was sound advice if Mexico proposed to hold her northern Territories, and she would have done well to have followed up the sugges-

[198] *Niles' Register*, October 8, 1825.
[199] *Mex. á través de los Siglos*, iv, 138.

tion energetically. Clearly she did not yet realize the trend of "manifest destiny" in the Slave States of the northern Republic. This winter, the government was "empowered to employ up to 4,000 militia of, and within the circle of, Coahuila, Nuevo Leon, Tamaulipas, and Nuevo Mexico;" but the trouble in Texas was quickly suppressed and the danger forgotten.[200]

Turning to commerce, we find that in June of 1826 Escudero was back from Washington and at Franklin, Missouri, en route for Santa Fe with "six or seven new and substantial wagons laden with goods" in which he had invested.[201] From this time on, pack-animals were no longer used; and in 1826 and 1827 the Santa Fe trade increased fifty per cent.[202] From 1827 also, Independence, Missouri, was the chief point of departure, as it was much nearer to New Mexico than Franklin.[203] The caravan which left Missouri in May, 1827, was the largest enterprise yet undertaken, the fifty-three wagons and carriages making a cavalcade nearly a mile in length.[204]

From the financial details which have appeared in the preceding pages and from other data which will now aid us, it is possible to sketch something of the economic administration in the Territory.

In the expense account for the month of May, 1826,[205] the

[200] Dubl. y Loz., February 23, 1827.

[201] Chittenden, *Hist. of Amer. Fur Trade*, ii, 508. Lic. Manuel Simon de Escudero was in Santa Fe on January 5, 1827, probably on another business trip from Chihuahua east to the States. (Lib. of Cong., *N. M. Archs.*)

[202] V. Gregg, ii, 160.

[203] Chit., ii, 515.

[204] *Niles' Reg.*, June 20, 1827.

[205]

	PESOS	REALS	GRAINS
"For the company which garrisons this Territory .	2,355	3.	0.
"For rewards of active service (*premios de plasas vivas*)	075.	4.	6.
"For sick-list (*Ymbalidos*) of said company . .	420.	0.	0.
"Salary of Jefe Polit. y Militar del Terr. . .	192.	0.	0.
"Salary of employees in office of said Jefe . .	070.	6.	8.
"Idem per id. of the *Comandte economico* of this Co.	014.	0.	0.
"Idem of those of this *comisaria*	035.	0.	0.
"Ordinary expenses of the office of the Jefe P. y M.	029.	0.	0.
"Ordinary expenses of the office of this *comisaria* .	012.	4.	0.
"June 1, 1826.	$3,204.	2.	2."

administrador de hacienda pública, or general treasurer, indicates by his items several subordinate accounts: that of the governor's office, that of the military office, and that of the customs house. Beesides these, there was the fund of the Deputation, subordinate to which were the various municipal funds, the school fund, the postoffice, etc.; and there was also the tithing fund. The general treasurer was at the same time *comisario substituto* [206] with supervision over the *internación* (frontier duties) and *consumo* (which included sale of stamped or legal paper, and internal revenues on all sales and purchases).

Some of these funds were chiefly for disbursement, receiving for that object little or nothing more than definite, assigned sums. The tithes also were contracted by a private individual and therefore contributed to territorial funds only as certain portions of the rent paid for that privilege were assigned by the federal authorities to such local uses.[207] In short, the lucrative funds were those of the *correo* and of the *comisaria* the latter including the frontier duties, internal revenues, and sale of stamped paper.

It is probable that Governor Narbonna introduced more business-like methods than had been observed previously in New Mexico, for a few weeks after he assumed office in Santa Fe an interesting situation developed. It seems that Juan Bautista Vigil was both *administrador de correos* and *administrador de alcabalas*; and he had also been serving since April of 1822 as secretary of the Deputation with the understanding that "when there should be funds" he was to be paid a salary of 600 pesos. A year before, the last Deputation had given him a voucher for 1,500 pesos, and now 600 pesos more was

[206] Also designated as *administrador de alcabalas*, or *aduanas*.

[207] At this time such a proportion of the tithe revenue (*i. e.*, of the sum paid by the tither for the privilege of collection) was diverted to military and school purposes. After his governorship and until his death, Bartolome Baca (of El Paso) appears as the tithe contractor. In 1826, Rafael Sarracino was his local representative in making payments in produce to the troop. Captain José Caballero was the comandante economico at this time; José Tapia was corporal and *apoderado* of the Santa Fe troop. Lib. of Cong., *N. M. Archs.*, August, 1826.

due him; and the surmise is not unwarranted that he had been paying himself out of the customs and excise funds. Unfortunately he had mislaid the papers which would justify such payment.[208]

It is not strange that the deputies who were serving without salary were indignant when they realized that Vigil was drawing three salaries. In October, 1825, he was suspended from the secretaryship and during the next six months two committees of the Deputation were investigating his conduct of the different funds. In January, 1826, the Deputation decided that he should be removed as *administrador de alcabalas*, and by the governor's order of January 12th he turned the treasurer's office over to Agustìn Durán; and from this time on the accounts were viséed monthly by the governor or another official.[209]

Durán's accounts during 1826 show an entry in March of 6,000 pesos, forwarded to Durán through D. Diego Montoya by the commanding general at Chihuahua, D. Manuel José de Zuluaga. All the other debit entries during this year were of duties and *consumo* taxes paid by foreigners.[210]

Statistical tables prepared by Governor Narbonna at the close of his term of office have already been quoted.[211] The following statement was explanatory of those tables and is of interest at this point.[212]

1st. The principal branch upon which the people subsist is agriculture. To this all the inhabitants devote themselves, consuming in the

[208] V. *note* 102, *ante*.

[209] Lib. of Cong., *Archs.*, account-book of treasurer for 1826.

[210] The *consumo* revenues were not yet required of inhabitants (v. close of chap. v). In 1826 foreigners paid customs duties which averaged about fifteen per cent *ad valorem*, and three per cent more for excise duties. For example, in July, 1826, Moses B. Carson, on a valuation of 1,690.6.9., paid 275.1.5. for importation and 50.5.0. for privilege of selling. Note 205 shows items which appeared each month; occasional items were *gratificación* to various Indians (Comanches *et al.*), rebates for *consumo* duties paid in El Paso which had already been paid in Santa Fe, while in January, 1826, was an item of twenty-eight pesos paid to the church to solemnize the function which celebrated the surrender of the castle of S. Juan de Uloa.

[211] V. *notes* 20 and 45, *ante*.

[212] "Pino," 58.

same year all that they raise, which is corn, wheat, vegetables, cotton, onions, chile, etc., because there is no way of exporting anything else even if it were raised, because of lack of cavalcades.

2nd. Another occupation of the inhabitants of this Territory is commerce, exchanging with a miserably poor return their effects with those of Chihuahua and Sonora. Blankets, buffalo-skins, quilts, wool socks, shirts, small sheets, and coarse cloth are bartered for some store goods, horses, mules, cattle, seed, soap, and a few *reales*.

3rd. Quite a number of citizens likewise are engaged in the buffalo chase, barter with the allied nations, and herding of small stock, branches which give sufficient employment at times when everything is not overturned by the outbreaks of the gentiles.

4th. It is stated that there are many openings of mines which were worked long ago. . . Foreigners have given themselves to the mining of copper and have succeeded in extracting it with very little trouble.

5th. To give an idea of the number of horses and flocks in this Territory, a report on the values of both is given, so that on occasion being compared with those that may be sent, a knowledge may be had as to the increase or decrease of these interesting branches.

6th. Information is also included as to the distances between the capital and the other places with indication of their directions, though without any regard to the latitude and longitude in which they lie, from lack of any data.

Santa Fe of the Terr. of N. M., the 8th of April, 1827.

ANTONIO NARVONA.

Certified copy, Santa Fe, 30th of Oct., 1829. JOSE ANTº CHAVEZ.

The following paragraph is taken from a letter which appeared in the *Missouri Republican* from an American trader and dated "Santa Fe, Feb. 7, 1826":

These people are wonderfully improved, I am told, within the last three years, as well in their manners, dress, etc., as in their political advancement. Liberal principles are fast gaining ground and taking deep root, and in proportion as these increase, the bigotry and tyranny of the church are weakened.[213]

Barreiro has recorded an interesting little example of Narbonna's public spirit:

In the center of the square and upon an adobe base of about 3 *varas*

[213] Chit., ii, chap. 27.

in height is found a sun-dial, which is the only public clock whereby the authorities and employees are guided. It was erected by Gov. Don Antonio Narbona, and has inscribed this apothegm from the Scripture: "*vita fugit sicut umbra.*" [214]

[214] Barreiro, *Ojeada*, 13.

CHAPTER VII

EVIDENCES OF WEAKNESS

In the spring of 1827 the military services of Governor Narbonna were required in Sonora, from which Territory he had come to New Mexico. The Federal authorities, therefore, appointed Manuel Armijo provisionally to succeed Narbonna in the capacity of *jefe polìtico*.[215] Accordingly we are told that Armijo was installed on May 20th, the retiring president of the Territorial Deputation, Colonel Antonio Narbonna, gracefully yielding to him the president's chair.[216]

But Narbonna did not turn over the "Palace of the Governors." On May 22, Armijo asked him to vacate by June 1st, but the latter declined to comply with the demand for the reason that that title was only a popular designation of the building which in fact pertained to the one who might be in command of the company of Santa Fe.[217] As *jefe militar*, Narbonna kept possession of the palace certainly until late in June,[218] and so far as known, he kept the official position even while out

[215] Lib. of Cong., MS. dated "Mexico, Apr. 3, 1827." Whether this office was later given to Armijo in his own right is not known.

[216] The chair itself is now in the rooms of the New Mexico Historical Society, in the old "Palace of the Governors."

[217] Lib. of Cong., *N. M. Archs.*, A. to N., N. to A., both of May 22, 1827. The substance of the latter was: "The house commonly called the Palace, the title of which I believe to be a matter of custom and not as indicating that it should be taken to belong to the *Jefe Político* of the Territory, I am assured was built for the captain (by right of office) of the Company of Santa Fe. This is confirmed by its situation in the barracks of this [Company], likewise [by the fact] that all its construction was borne by the Troop which composes it [the company], and consequently [it was] intended for that object. In this it embodied what occurs to me to say to Your Honor in reply to your communication of today in which you inquire of me to which authority of those which you designate said property pertains, and, there being no other data than notoriety and its location, I cannot vacate it as Your Honor assumes without an explicit order from the Most Exc. President of the Republic, with whom Your Honor may communicate, etc., etc."

[218] Lib. of Cong., *N. M. Archs.*, June 16, 1827 (Narbonna to Caballero).

of the Territory until Colonel Vizcarra again received the military command in the fall of 1829.[219]

The shakeup just noted was only one instance of the weakness which was now beginning to appear as well in the lessened stability of the national administration as in the lowered standards of efficiency and service along nearly every line of interest in New Mexico. It was not the result of indifference or even of carelessness in the Federal government so much as it was the result of selfish ambitions and of a lessening spirit of coöperation. The verve of Independence times had spent itself, the prestige of the Spanish period had dissipated, no permanent, constructive policy had yet developed because individuals and factions were not willing to acquiesce in majority rule. Each year the body politic was less cohesive. The cleavage between the wealthy and the impoverished was widening with its accompanying inequality of benefits and privileges. And, striking in part across this cleavage, was another line of cleavage which was segregating the conservative and liberal elements in the nation. Freemasonry had taken strong root among the upper classes, and its growth was recognized by the Church as hostile to her interests.

Naturally, the Church threw her influence in any struggle to the side of conservatism, reaction, monarchism, as against liberal and enlightening influences, and she had strong backing in the ignorant masses which she controlled. On the other hand, few intelligent citizens of Mexico (though in increasing numbers) realized that their state church was the chief element of discord to precipitate dissensions and to retard national advance in enlightenment and in material prosperity.

This state of things in the nation could not but affect New Mexico, and signs may be noted here and there as we proceed that her problem was becoming one of mere existence more than one of healthful vigor.

[219] No data have been fouund showing that Armijo, Hinojos, or Caballero was so appointed. Captain José Caballero was the *comandante economico*, also probably head of the Santa Fe company after Narbonna's departure, and, if so, acting head military of the Territory.

Juan Rafael Rascon was now the vicar for New Mexico, but no especial improvement in ecclesiastical affairs is evident. It may be true that the Jesuits in Arizona had been expelled by the decree of December 20, 1827, and that the Franciscans had those posts to fill; but this fact is not sufficient to explain the continued failure to care for the missions and curacies of New Mexico. The government provided annual stipends of 330 pesos each for twenty-three religious, but a number of these were not drawn because of vacancies.

Nor was the so-called "expulsion of the Spaniards" more than incidental as affecting the number of clergy in our Territory.[220] In February, 1828, Governor Armijo replied to an inquiry from the Federal authorities that there were only five Spanish religious in New Mexico at that time: Frays Teodoro Alcina, José Castro, Juan Caballero Foril, Antonio Chaco, and Manuel Martinez. Of these, the first two took the oath of allegiance and the other three preferred to leave the country.[221]

There is little of educational interest, except that Santa Cruz de la Cañada was now included in the list of the places which had public schools.[222] This year also, the Deputation seems to have turned a dance hall belonging to the government into a school house for Santa Fe.[223]

[220] Art. 16 of the decree of December 20, 1827, required the oath of allegiance from every resident Spaniard, with the alternative of departure. In view of the prominent part which the Church always took in national affairs and in view of the fact that Spain was contemplating an effort to re-subjugate her lost provinces, the course of the Mexican government was not unreasonable, although its need was far less in New Mexico than farther south.

[221] Lib. of Cong,, *N. M. Archs.* The oath of R. P. Fr. José de Castro (age, 60 years) was signed by Manuel Armijo and Castro, with Fr. Sarracino and Ramon Abreu as witnesses; that of R. P. Fr. Teodoro Alcina (61 years) by himself and the same three; and another of Antonio Perez (73 years, *bachiller*) in same manner. R. P. Frays Manuel Martinez, Antonio Chaco, and Juan Caballero (ages 41, 44, 55) were given a "route" of twenty days to El Paso, twenty days to Chihuahua, and twenty-five days to Monterey; and another Spaniard, Manuel Echevarria, was given three days to Taos.

[222] Lib. of Cong., *Estatutes Para el Regimen de la Escuela General de esta Villa de Santa Cruz de la Cañada, Año de 1827.* (Five pages of preamble and fourteen rules), June 1, 1827; also a map of December 1, 1828, has the item of thirty pupils in the Cañada school.

[223] Santa Fe Fed. L. O., *Arch.*, no. 1185; Lib. of Cong., August 10, 1827, Sec-

A Federal decree of May 20, 1826, had established a circuit court for the States of Durango and Chihuahua and the Territory of New Mexico, with residence at Parral. The same law also named Santa Fe as the residence for a district judge, but this provision was not made effective for five years, because there was no lawyer available.

The inefficiency of the local judiciary was illustrated in the spring of 1827. The elder Pattie planned to buy the Santa Rita copper mine which he had operated by a lease, but a Mexican whom he trusted with $30,000 proved a rascal and Pattie was completely ruined. The son pursued the man, during May to July of that year, to Santa Fe, El Paso, and Chihuahua, but he failed to obtain redress.[224]

By 1827, disputes and even litigation over land titles, boundaries, and water-rights had become frequent.[225] Under preceding governors a large number of grants had been sought and a great many of them had been conferred, and the great hunger and misery which were already prevalent when Armijo assumed office were attributed to the disorganization of the town councils and to a scarcity of lands for sowing, which in turn was occasioned by such lands having been monopolized by a few individuals. On August 8, 1827, the Federal authorities who had heard of the state of things ordered Governor Armijo to investigate the matter and report.[226] It is doubtful that any grants were annulled, but until the '30's fewer titles were issued. Drought and poor crops during 1827 must have aggravated the situation; at least, in January of 1828, Armijo sent in to the Deputation two written communications on the state of hunger among the people.[227]

A new tariff for the customs houses was issued in November

retary Ramon Abreu notifies Governor Armijo that the Deputation has voted to have the ayuntamiento proceed with the repairs of the "*Casa del Baile,*" paying the expenses out of the school fund.

[224] V. Bancroft, 338.

[225] V. Fed. L. O., land-grant records.

[226] Fed. L. O., *Arch.*, no. 1188 (October 15, 1827).

[227] Lib. of Cong., *N. M. Arch.* Also v. Fed. L. O., *Arch.*, no. 1327, upon a quarrel over water-rights between Laguna and Acoma.

which prohibited many things which Santa Fe traders would carry. Among them appear coffee, rice, boots and shoes, cotton girdles, silk and cotton shawls, soap, thread, common kerchiefs, lead, cordage of all kinds, tobacco, salt, all clothing, etc., etc. A decree of February, 1828, made all cotton, wool, and silk cloths of Mexican manufacture free from all taxation in the District and Territories of the Federation.[228]

For several years beaver-trapping had been carried on in various parts of northern Mexico by venturesome Americans, and the authorities of Chihuahua were annoyed by such operations on the Gila river, but they could not prevent them. The matter was discussed in the following report to the secretary of state:[229]

GOVERNMENT, MEXICO, FEDERAL DISTRICT.

MOST EXCELLENT SIR:

Don José Agustin Escudero, citizen of Chihuahua, in a note of March 22nd, reports to this Bureau among other things the following:

"Beaver-skins is a branch productive for Anglo-Americans alone, who make hunts and even camps which last many months, the result of which will be the extinction of the species. In that City is the Sr. Deputy D. Rafael Sarracino and perhaps others who could give information in these particulars — among which will be not of the smallest importance through its consequences, that one of which the following paragraph treats: 'The Anglo-Americans, well provided with arms and hunting apparatus, especially that for beaver-trapping, buy from citizens of Santa Fe the license which they take out from the *Gefe* of that Capital, allowing them to hunt for a certain time in certain places designated by the *Gefe*, many leagues distant in the mountains and plains bathed by the Rio Bravo. With the subterfuge of such license, the Anglo-Americans attack the species without limit or consideration, and secure enormous quantities of skins, many times without paying even an eighth of the duties to the treasury; and rather they so decline to do so that when I was in Santa Fe in 1827, I knew

[228] Dub. y Loz., *Compil.*, November 16, 1827, February 1, 1828. The Santa Fe trade in 1827 was about the same as in 1826; in 1828 it doubled again. We can imagine the traders' feelings upon their arrival when they learned of the new tariff! In 1828, three men were killed on the route—the first fatality which had occurred. V. Gregg, ii, 160.

[229] L. Stanford Univ., *Bexar Archives*, 1821-1827. Incidentally this notation shows who was deputy from New Mexico for this term of Congress.

how they compromised a poor wretch called D. Luis Cabeza de Vaca, to the shame of receiving contraband in his house out in the desert, and when he resisted search for it, he was shot by the soldiers who were aiding the alcalde. The latter succeeded in finding 29 bundles of very valuable beaver-skins, which were being spoiled by the moths in the warehouse of the Sub-Commissary of the Territory,' '' etc., etc.

Méjico, April 14, 1831.

To the Exc. Sr. Secretary of State.

The law in this matter was that only Mexican citizens might trap beaver, the license being issued for a municipal tax which was proportionate to the number of hunters, the means used (fire-arms, traps, or snares), and the number of days. The Americans secured the licenses as above described and then made "immense hunts, not only with traps of peculiar invention but embarking on rafts which glided without noise on the streams . . . and so they traveled hundreds of leagues." [230] At El Paso they generally sold the beautiful cabinet-wood, as was their purpose from the first, but they never presented the pelts for examination. They traveled by forbidden routes to the frontier, and when discovered, death and grave disturbances often resulted.

Gregg explained this peculiar state of affairs as follows: "As there were no native trappers in New Mexico, Governor Baca and his successor (Narbonna) thought it expedient to extend licenses to foreigners in the name of citizens, upon condition of their taking a certain proportion of Mexicans to learn the art of trapping." [231] An anecdote told by Gregg gives the American view-point of that time:

Gov. Narbonna had extended a license to one, Ewing Young, who was accompanied by Milton J. Sublette, a brother of Capt. Wm. Sublette. Before returning from their expedition, Armijo succeeded to office, and they were informed that he intended to seize their furs. They hid them in a neighboring village, but they were discovered and confiscated.[232] Being damp, they were spread in the sun before the

[230] J. A. Escudero, in his edition of "Pino," p. 70.

[231] Gregg, i, 227-8.

[232] It is possible that this was the same lot of furs as that of which Escudero wrote to the Federal authorities above. It is also possible that one motive on Armijo's part was to show an indirect slight to his predecessor, Narbonna.

Guardia in Santa Fe, when Sublette saw two packages of beaver which had been his, and walked off with them in sight of the whole garrison, hiding in a house opposite. The entire military force was started in a general search but did not seem anxious to locate him. Sublette got his furs to the frontier in safety, and thence to the United States.

In another transaction of the same period, the joke seems to be on the Americans. John Davis Bradburn [233] petitioned the Mexican Congress for the privilege of opening navigation on the Rio Grande del Norte, and to establish on its shores in New Mexico the settlements necessary to that end. To one familiar with the treacherous and shifting nature of the Rio Grande, it seems likely that Bradburn's ulterior object was colonization rather than navigation. At least, this aspect of the proposal caused several weighty debates in the Chamber of Deputies in February, 1829. The chairman on industries had reported adversely; and when on the floor the concession was still urged, he protested that he would never change his opinion. "He foresaw grave ills which would ensue . . . by allowing the colonization of Anglo-Americans on the banks of the Rio Bravo, before so arranging the military force of that Territory that it could prevent an aggression by those who, entering now under the cloak of friendship, might at pleasure transform themselves into lords as did the Phoenicians in Spain. . . Ills must be prevented rather than cured. . ." [234] During the debate, this chairman reminded the Chamber of the various complaints and petitions made by the deputy of New Mexico in the previous legislature, when urging that troops be organized to repress the inroads of the barbarous tribes upon the Territory. The deputy had stated that hostile tribes had appeared, tribes even unknown, and completely armed even to artillery, and that it was known that many North Americans were with them in disguise, and that officials of that nation incited these inroads! The chairman continued, "In view of this, it is impossible to allow, under

[233] V. *note* 115, *ante*.

[234] Univ. of Calif. Lib., *Voz de la Patria*, i, no. 7, giving report of the debate on February 17, 1829.

pretext of colonization and navigation, invasions of New Mexico to be made, the more ominous that they are made under the semblance of friendship, and that, when that unhappy people least anticipate, they might find themselves seized by a powerful nation, whose yoke they could not throw off, and when the supreme government could not aid them because of the great distance. Other inroads in recent times under like pretexts are known; and today that of Upper California is reported a fact. Therefore it would not be wise to expose New Mexico to a like fate, and therefore your committee decided that approval of the petition of John Davis Bradburn be suspended until the Chamber should have settled the number of troops which must garrison New Mexico in order to restrain the inroads of the Anglo-Americans. The deputy stated that they entered and departed with mules . . . [and] the committee believes that the danger would be increased through adding another way of entrance, and that it must be done only when the people of New Mexico have a force organized and located at points suitable to prevent an inroad by which the Mexican Republic will lose one of the countries richest in gold [235] among those now possessed, and a group of men be sacrificed who foresaw the danger; who advised the Chamber; who invoked their aid; and who were unheeded." [236]

The joke is that Congress did finally grant, but without any privilege of colonization (!), to Colonel John D. Bradburn the exclusive right for fifteen years to introduce steam or horse-boats on the Rio Bravo del Norte; and so, it was reported, "we hope that, being crowned with favorable exit, the enterprise . . . etc., etc." [237]

Both the high-handedness which Gregg attributed to Gov-

[235] The allusion to gold in New Mexico was occasioned by the discovery in 1828 of the "Old Placer" mines.

[236] *Op. cit.* Attention is called to the intelligent grasp of details and the remarkable forecast of later events as revealed in this quotation. The deputy of New Mexico mentioned was José Antonio Chaves, who had been elected in October, 1826, and whose successor had been elected a few months before this (in October, 1828).

[237] Escudero, *Noticias Hist. de Chihuahua*, 191. (U. of Calif. Lib.)

ernor Armijo and the irregularity which was cited as one of the reasons for the prevalent misery in New Mexico are confirmed by certain details of a serious disagreement among the civil authorities in Santa Fe in 1827. Juan Bautista Vigil had become first alcalde of the town council, and for some reason unknown to Governor Armijo had a grudge against him. In August he had the Deputation take action and then (perhaps with the perfunctory assent of that body) he arbitrarily dissolved the town council, avowedly because the members of that corporation were relatives. But Vigil had powerful supporters, among whom was D. Manuel Simon de Escudero of Chihuahua.[238] D. Manuel was in Santa Fe at the time and took an active part in the mixup. Over the date of August 13th, he inquired of Armijo whether he really had complied with the law in dissolving the Santa Fe *ayuntamiento* on the grounds that the members were related; and further if Antonio Ortiz (of the Deputation), Francisco Baca y Ortiz, José Fr. Ortiz, and Fr. P. Serrano (husband of Doña Apolonia Ortiz, niece of Don Antonio) were not related; and if Deputy Francisco Sarracino and Rafael Sarracino as secretary were not brothers.[239] Not much is clear except that a few families had monopolized all the posts of honor and emolument; and in fact, Vigil himself may have been trying to break into the ring again.

Apparently the trouble smoldered until the fall elections of

[238] Father of D. José Agustín, and special representative of Governor Baca to Washington in 1825. Whether he was at this time more than an influential citizen of the nearest State is not known. The quotation from Don Agustín shows that he was with his father in Santa Fe at this time.

[239] V. *note* 186, *ante*; also Lib. of Cong., a MS. of July 23, 1827 (Deputation summoned for August 2 on matter of Jn B. Vigil) and letters by Escudero of August 8, 9, 13. Armijo, in a curt reply, said that R. Sarracino had merely acted as secretary while Serrano was sick (in June).

Another sign of weakness came out in the August sessions when the deputies decided that they should have to pay their secretary out of their own pockets. Serrano had been paid 40 pesos a month; this was now reduced to 25; S. was not willing to serve for that amount and resigned; and Ramon Abreu was made secretary. (Fed. L. O., *legis. mins.*, August, 1828.) In Lib. of Cong., *N. M. Archs.*, on a summons to Deputy José M. Ortiz, dated Santa Fe, October 6, 1827, this fact is stated; and as two months have passed, "bring 7 ps 1 real as your share."

the following year,[240] when Vigil filed charges in Mexico that the election of Rafael Sarracino as fifth *vocal* was illegal. This started a Federal investigation and it may have affected the political changes of the spring of 1829.[241]

Relatively more serious was the civil strife which now again threatened the nation at large. Guadalupe Victoria, the first president under the constitution of 1824, had succeeded in retaining office for his full term, but the elections of this fall (1828) were bitterly contested by rival factions of the Freemasons. Vice-President Vicente Guerrero stood for president against Gomez Pedraza; and when the latter was successful, his party was immediately overpowered by the partisans of Guerrero, headed by Santa Anna. Victoria was to retire from office on April 1, 1829, but before that time, Pedraza, who had been duly elected, was driven from the country, and in March Congress was forced to elect Guerrero to the office thus vacated.

[240] The election of October, 1828, made Manuel de Jesus Rada the new deputy to Congress. The members of the third Territorial Deputation were:

PROPRIETARY	ALTERNATES
Juan Estevan Pino.	Mauricio de Arze.
Juan Felipe Ortiz.	(—— —— Terras?)
José Francisco Leyva.	—— —— ——
Santiago Abreu.	
Rafael Sarracino.	
José Francisco Baca (y Terrus?)	
Juan Antonio Cabeza de Baca.	

[241] Lib. of Cong., *oficio* of Cañego, Mexico, January 14, 1829, to *Jefe Polit.* of New Mexico.

CHAPTER VIII

HAMPERED GROWTH

THERE were to be fourteen chief executives during the next eight years, and in the last eight years of our period Mexico was to experience sixteen more changes; so that from this time until Mexican administration in New Mexico ceased, we may think of strife and turmoil as constantly prevalent in the nation.

For the Congress of 1829 and 1830, which opened on December 28, 1828, Manuel de Jesus Rada had been chosen deputy for New Mexico, in succession to José Antonio Chavez. The latter must have been well satisfied to withdraw from the unsettled and unhappy conditions in the national capital, and all the more so since he went home under appointment to succeed Governor Armijo, who had resigned.[242] Señor Chavez was of a prominent and wealthy New Mexican family, he had already served his Territory in various capacities, and he was now to serve as governor until the spring of 1832.[243]

In the summer of 1829 a Spanish army invaded Mexico for the purpose of reducing it again to subjection, but it was easily repelled by Santa Anna, who was then minister of war under Guerrero.[244] One result of this invasion was a forced

[242] Governor Armijo served up to and including March 5, 1829. It is positive that José Antonio Chavez was not governor in 1828, even in a temporary capacity. (V. Fed. L. O., *legis. mins.*, March 21, 1829.) Armijo probably resigned in January, anticipating an unfavorable result of the Federal investigation, and his successor was immediately appointed. At the next municipal election for Alburquerque, Armijo was consoled with the office of constitutional alcalde of that jurisdiction. (Lib. of Cong., February, 1830.)

[243] Chavez was deputy-elect to Spain for 1822-3, member of the second Provincial Deputation, 1823-5, deputy to Congress for 1827-8. In 1843 Gregg reported that this family was anything but friendly to Manuel Armijo. For data on the Chavez family, Twitchell, ii, 25, *note* 24.

[244] Dub. y Loz., *Compil.*, March 20, 1829; December 20, 1827. This attack by Spain led not unnaturally to the renewal in a more stringent form of the earlier

loan, of which New Mexico was asked to pay 18,000 pesos. In spite of their own financial troubles, the Deputation was in favor of thus sustaining the interests of the "beloved Fatherland." The allotment of their portion was made with regard to the material resources of the jurisdictions and the number of inhabitants, but it did not include in the estimate the "miserable day-laborers, nor even those who in this unhappy country are called 'of moderate means,' of whom there are none." [245]

Niles' Register of December 5, 1829, mentioned "several Spanish families . . . of the class who were expelled from the Mexican Republic by edict of the government at the commencement of hostilities with Spain, and who have chosen a home and refuge among us. They were escorted by Mexican troops to the boundary, where Major Riley was stationed."

measure whereby all Spaniards who would not be Mexican citizens were expelled from the country. The text of the March law has not been found, but whatever its purport, Castro and Alcina were exempted from its operation by a special order from Mexico: "Office of 1st Sec'y of State, Dept. of Interior—to the Jefe Pol. of N. Mex.—*Para q. tengo su cumplimto el decreto marginal, acompaño á V. S. de orden del E. S. Presidte las solicitudes de los Religiosos Fr. Teodoro Alcina y Fr. José de Castro pidiendo escepcion dela Ley de 20 de Marzo ulto que le ha presentado el Sr. Diputado per ese Territorio D. Manuel Rada.—Dios y Libertad.—Mexico.—Junio 12 de 1829.*—(signed) *Bocanegra.*" (Lib. of Cong.) On January 5, 1830, Fr. José de Castro reported to Governor Chavez from San Juan the baptisms, etc., for that mission and for Santa Clara. (*Id.*) Prince, *Hist. Sks.*, 233, says that these two men were allowed to remain on account of their age and upon the payment of $500 each, but if so, it appears to have been by Federal order and not local extortion. The government was hard pressed for funds at that time, a decree of May, 1829, exacting "contributions" even from non-residents. Another of the same month ordered the listing of the temporalities of the "ex-Jesuits" and the suppressed monasteries—possibly an indication of the relative strength of the Masonic and Clerical elements in that year.

[245] Fed. L. O., *legis. mins.*, October 18, 1829. The assignment by jurisdictions was as follows:

Santa Fe . .	1,200 ps.	Cochití . . .	350	Belen . . .	600
Cañada . . .	750	Xemes . . .	200	Sabinal . . .	200
San Juan . .	500	Sandía . . .	700	Socorro . . .	100
Taos	1,400	Alburquerque .	1,200	Laguna . . .	250
Abiquiú . . .	1,000	Isleta . . .	8,000		
Bado	350	Tomé . . .	1,200		

The minutes of November 26, 1829, show that the *comisario substituto* was still engaged in the collection.

And the *Missouri Republican* of February 16, 1830, asserted that of the $200,000 estimated returns of the trade for 1829, $133,000 belonged to these Spanish refugees, as did also 900 of the 1,200 mules; and they were daily expecting a decree for their return.[246]

This second Spanish exodus was incident to the Spanish invasion of 1829, and it affected the Church, so it has been stated, by depriving her of almost all her Spanish missionaries. In New Mexico the only ones affected were the religious, Fray Teodoro Alcina and Fray José de Castro, who had taken the oath of allegiance under Governor Armijo the preceding year. By a prompt appeal to the president through Deputy Rada in Mexico they secured exemption, so that this time New Mexico lost none of her clergy.[247]

To fill other vacancies which occurred in the diocese of Durango however, the priests of the diocese were, in 1830, summoned to an ecclesiastical synod in Durango by the vicar-capitular, the see being vacant.[248] The curate of Santa Fe, Juan Felipe Ortiz, attended, carrying with him a written endorsement of his merits which he had secured in January from the Deputation.[249] Presbyter Martinez also attended and was made curate of Taos in regular standing — the post which he had been filling since 1824! But the synod failed to change the general situation as to vacancies in New Mexico. They still existed in 1832, notwithstanding the exemptions and the income enjoyed by the Church in Mexico; notwithstanding the tithes paid by the New Mexicans in addition to the twenty-three stipends provided by the government.[250] The truth seems to be that the policy of the Church had been to rely upon foreign religious instead of training up an adequate supply of educated and spiritual native clergy.

246 Chit., ii, 521.

247 V. *note* 244. Apparently it was this law which was "revived" when, several years later, according to Gregg, local officials in collusion with one Ortiz (a part-owner) ousted a resident Spaniard from his share in a gold mine.

248 V. Salp., 164.

249 Fed. L. O., *legis. mins.*, January 2, 1830.

250 V. *note* 257, *post.*

The bishopric was not yet established at Santa Fe, although it is stated that Congress passed another decree to that effect in 1830.[251] In fact, there had been no bishop even in Durango since the fall of 1825; but in the spring of 1830 the curate of that city, Antonio Lopez Subiría, became bishop, being included in the list of bishops for all Mexico as named by Vice-President Bustamante.[252]

Padre Antonio José Martinez, mentioned above, continued for some years after the American occupation of New Mexico in full communion with the Roman Catholic Church, yet even at this time he was of that choice few in Mexico who saw that her salvation depended on spiritual as well as political enfranchisement. During all the period which we are studying, Presbyter Martinez upheld this ideal in New Mexico and he was a leader in those activities by which that goal was to be attained. His biographer provides us the following illustration of this fact:

> The Mexican Constitution did not allow tolerance of worship. Nevertheless, the presbyter declared himself in favor of it, as necessary for a stable, prosperous, and free government. In the year 1830, he wrote a book (which has not been published) upon this subject, in which he clearly proved the just reasons which led him to form such an opinion. In it he showed conclusively that, tolerance of worship once established, the Republic, already independent of the intolerance of Spain, would necessarily produce beneficial results, would secure political peace, and under political and religious freedom would flourish in the shadows of her laws, and would avoid internecine and fraternal wars.[253]

It would have been well for Mexico had she realized this truth many years before she did.

Bachelor Manuel de Jesus Rada also appears to have held progressive views, but as a follower rather than a leader. In August of 1829, as deputy for New Mexico he complained to the head of the Franciscan religious at Mexico of the efforts

[251] Bancroft, 314.

[252] Fed. L. O., *legis. mins.*, June 14, 1830. At that time, at the suggestion of Curate J. F. Ortiz the Deputation sent an expression of their respect to the newly elected bishop.

[253] *Memorias sobre la Vida del Pro. A. J. Mart.*, 14.

of Padre Mariano Sanchez to discredit him in New Mexico, and further he declared his intention to make Sanchez leave that Territory. His own conduct, he wrote, was in accord with that of Congress, of the president, of the ministers of the four branches of government, of the Deputation and the *ayuntamientos* in New Mexico, and of all citizens who used judgment. In the following December, when several rapid changes in the chief executive occurred, started by Bustamante who overthrew Guerrero, Rada reported home how difficult the circumstances were for the Chamber of Representatives, especially since the 23d, when fighting started at one in the morning. He had been active in helping to restore peace, twice having risked his life among balls and bayonets.[254]

There is considerable humor in the deliberate and often solemn way in which New Mexico adjusted herself to national changes, from one to six months after those changes had occurred. In the case of this revolution which was effected within the limits of December, the initiative was taken by José Antonio Vizcarra.[255] On January 27, 1830, he invited the Deputation and its president (Governor Chavez) to join with him and his troop in a public adherence to Bustamante's Plan of Jalapa, issued on December 4th. Chavez replied favorably next day and the act was carried out on January 30th.[256]

In the Deputation in November, 1829, Juan Estevan Pino

[254] Lib. of Cong., August 4 and December 30, 1829. Rada's excited enthusiasm is shown by the very large script with which he wrote the letter.

[255] Vizcarra had returned to New Mexico as *comandante principal* about August of 1829. When the Deputation assembled in October, he was out to meet the caravan as we have seen, but in November he informed them in writing that he had received the military command and offered them his services. (Fed. L. O., November 26, 1829.) Hinojos appears in the records at about the same time as captain of the Santa Fe troop, superseding Caballero, who had been acting. The New Mexicans were very glad to have Vizcarra back, for the Indians were bad these years, especially on the northern frontiers. An interesting sketch of Vizcarra by General P. St. G. Cooke is quoted in Twitchell, ii, 21-3.

[256] Lib. of Cong., January 27, 28, 30 (copy made by Chavez on February 3d); also the address by Chaves on the occasion. From this time until August 14, 1832, Bustamante as vice-president controlled the Federal government, so that the effect of the act was happier for Vizcarra than had been the similar act when he was governor in 1823.

urged that the new court of justice for New Mexico be established.[257] The plan for such a court had failed, although the government had provided funds to that end, because there was not a single trained lawyer in New Mexico. In February, 1830, they thought that one, Lic. D. Eleuterio Maria de Lagarza, had been secured as legal adviser or counselor for the Territory; but in the following November he informed them (in reply to a communication of February!) that he had resigned the office. By the spring of 1831, however, Lic. Antonio Barreiro was in Santa Fe filling the office.[258]

A matter in which the fault did lie with the Federal government was the failure yet to provide New Mexico with adequate military protection. Even the law of March, 1826, which planned for two paid companies had not been carried out. In November of 1830 the Deputation asked again that this military force be furnished — a request which brought results about two years later.

The fall elections of 1830 had changed the personnel of the Deputation, Santiago Abreu being the only deputy reëlected. Presbyter Martinez was a new deputy, and Rafael Sarracino of the retiring body succeeded Rada as deputy to Congress.[259]

[257] A report presented by the ministry of justice and ecclesiastical business early in 1828 had included estimates providing for the fiscal year July 1, 1828, to June 30, 1829, for the court and missions of New Mexico. Univ of Calif. Lib., *Mem. Hacienda.* As approved by the Chamber of Deputies, this estimate was:

"For the circuit judge of Parral	500 ps
"For the district judge of New Mexico	1,000 ps
"Salary for attorney general of New Mexico	500 ps
"Salary for clerk of dist. judge of New Mexico	500 ps
"Salary for constable of dist. judge of New Mexico . . .	300 ps

"MISSIONS

"Number of Religious who must serve the missions which exist in the Republic, and *sínodos,* which the former government assigned them, covered by funds of the nation.

"In the *custodio* of New Mexico, 23 religious of the Franciscans.

"Province of Mexico, with the *sínodo* of 330 ps annually each one, 7,590. 0. 0."

[258] Fed. L. O., *legis. mins.*, November 8, 1830.

[259] The fourth Territorial Deputation was elected on October 4, 1830, and was to serve "for the term of 831 and 832." The officers of the Electoral Junta were Juan Estevan Pino, president, and José Anto. Vizcarra and Blas de Hinojos, secre-

At the second session of this new Deputation which he attended, Martinez inquired what their powers were. Santiago Abreu replied that, as the constitutional law for the territories had not yet been drawn up, the Spanish law of June 23, 1813, was still in force.[260] He had a copy which he would lend him. In the session of June 14, 1831, it was felt that either the supreme government must simplify the procedure by which they could get any attention to the matters referred up to that body, or else the corporation ought to be suspended as only harmful. The matter went over during a recess of two months, and then for another of three months; but on November 11, 1831, Martinez presented an exposition showing how the corporation lacked powers with which to correct the many serious evils which afflicted the Territory; that therefore its existence was useless and prejudicial to its members; and asking that said exposition be sent to the General Congress. It was referred to a committee which reported next day in favor of such action, and accordingly they forwarded it to Mexico.

Perusal of the law of 1813 had revealed that they might have a board of health! And on June 13, 1831, citizens Juan E. Pino and Lic. Antonio Barreyro asked that one be established in the capital. The limited faculties of the Deputation are, however, revealed most clearly in their efforts to keep public schools open and in other matters requiring appropriations.

taries. (Lib. of Cong., October 4, 1830.) They reported to the *Jefe Político* that the following were elected:

Antonio Sandoval.
Santiago Abreu.
Juan Rafael Ortiz.
Anto Je Martines, curate of Taos.
José Manuel Zalasar.
Julian Tenorio.
Teodosio Quintana.

ALTERNATES

Francisco Sarracino.
Juan Cristobal Garcia, *and* José Maria Baca y Campos.

260 This means a period of over six years of neglect in this matter. In January of 1828, the Deputation received some proposition regarding the formation of a constitution for the District and the Territories from the Deputation of Tlaxcala. There were several sessions and committees upon the matter, but the result cannot be stated. (V. Lib. of Cong., January 28, 29, and 30, 1828.) Federal neglect of New Mexico is also revealed by Sarracino's request for a memorandum of all the petitions which had been sent to Congress and to the supreme executive during the last two years. (Fed. L. O., November 8, 1830.)

In March of 1830 they had a long discussion whether they should appropriate 200 pesos from the school fund in order to pay their secretary. This was the only fund available, and by a decision of August 3, 1827, they might thus draw on it. They finally did so by a vote of three to two. Again, in November of 1831, Abreu asked that the old *muralla* or town wall should be sold so that they might have funds with which to pay their secretary, janitor, etc.[261]

In November of 1830 the town council of Santa Fe reported to the Deputation that they had no secretary because of lack of funds with which to pay him, nor had they faculties wherewith to create such funds. They could not exercise their functions until they received the necessary *arbitrios* or faculties. The matter was referred to a committee but not until the spring of 1832 do we find the record of any result. On April 28th of that year, the Deputation provided a *plan de arbitrios* for Alburquerque, and in the following July a similar plan for Santa Fe.

The tithes were still rented by citizen Bartolomé Baca, in 1830 for 10,000 pesos; and as previously shown, it was part of this revenue which was assigned by the government for school purposes. The school fund was administered by the Deputation. Salaries of teachers were fixed, occasionally small sums for supplies were voted. They also supervised the examination of both teachers and pupils, and during the term of Governor Chavez some six public schools were maintained. However, the Deputation had to contend with apathy on the part of both the parents and the municipal authorities, and at last, in November, 1831, the governor was asked to make use of fines in order to enforce compliance.[262]

[261] This was not done, however, because Barreiro, in his *Ojeada* written the following June, recommend the sale of the same old wall for a different purpose.

[262] Lib. of Cong., *N. M. Archs.*, and Fed. L. O., *legis. mins.*, afford many educational data of these years. On May 16, 1829, M. Abreu was running a Lancasterian school in Santa Fe with fifteen pupils, elsewhere styled plain "public" school; on November 24th, he reported to the Deputation that 94½ pesos were still due him for his time of service in the "public" school of the capital — they again called on B. Baca, the treasurer of the school fund, for money. At the same session, Pino introduced a motion to establish chairs of grammar, philosophy,

As the Deputation might furnish the various towns of New Mexico with municipal regulations but without any benefit from municipal revenues, so equally they supervised the administration of that far more important source of revenue, the *internación* and *consumo*, but without any benefit therefrom save through Federal acton. It is true that the receipts were used chiefly for the expenses of the civil, military, and fiscal administrations of the Territory, but the revenue was really controlled by the Federal authorities, through the *comisario* at Chihuahua and the *comisario substituto* or *subalterno* at

and ethics — presumably in the "collegiate seminary." Citizen Cayetano Valdez was temporary preceptor of the "Normal School" of Santa Fe on July 22, 1830. Teodocio Quintana had followed M. Abreu as teacher of the Santa Fe public school in 1829, but on February 11, 1830, he resigned and the governor had M. Abreu take charge again, and temporarily he held the school in his own house. The teacher of the Cañada school on September 24, 1830, was Trinidad Barcelo; in the following December the Taos school was reported vacant. On November 8, 1830, M. Abreu was made regular *preceptor de primeras letras*; at the same session some of the deputies wanted to close all the schools except Santa Fe until the teachers should have passed proper examinations. At that time Deputy Martinez was the schoolmaster of Taos; M. Abreu reported a general examination which his pupils had passed on September 13th. November 9th schools of Alburquerque, Cañada, and Sabinal mentioned, the last being now transferred to Belem and Citizen Tomas Beserra made preceptor. January 17, 1831, 40 pesos were granted the ayuntamiento of Alburquerque for school supplies and the preceptor was to give a detailed accounting. In that month, C. Nestorbo Armijo was assistant teacher at Santa Fe, Antonio Nepomuseno Ruiz was teacher at Alburquerque, Jacinto Garcia at Cañada, Eulogio Valdez at Taos. January 20th the Deputation paid their porter out of the school fund and adjourned till April 10th. August 4, 1831, the preceptor of the capital made his report for the year past, and, complaining of the apathy of authorities and parents, he was referred to the *jefe político* who would require the alcaldes and the ayuntamientos to cause the aldermen in turn to make their daily visits to the school, and the ayuntamientos to make their monthly visits. Citizens Barreiro and Ramon Abreu had given 54 pesos for tables, etc. The same day the ayuntamiento of Cañada reported only five children in school, and because of the poverty of the parents, the latter could not be compelled to send them. The *jefe* was therefore asked to move the school and teacher to San Juan, which had repeatedly asked for one. November 11, 1831, the Santa Fe preceptor complained that the alcaldes and ayuntamientos showed delay and neglect in making the children assemble; the orders of the *jefe* had been despised. The *jefe* was now asked to employ fines, etc., to enforce compliance. The same day, school supplies were refused to Cañada; the following day Martinez submitted an estimate for supplies for the Taos school — 25 pesos had already been paid, the balance necessary (15 pesos, 2 reals) was now supplied. When S. Abreu became *jefe político* on April

Santa Fe; and the amount of these funds fluctuated more and more in response to the prairie commerce with the United States.

In the fall of 1829, there was strong protest in the United States against fostering the Santa Fe trade by the use of Federal troops.[263] This referred to the escort which had that year accompanied the caravan to the boundary as a protection against the Indians. The troops waited at Choteau's Island until October, and the returning caravan, as also the exiled Spaniards, were escorted to that point by a Mexican force under Colonel Vizcarra.

This was the beginning of an effort on the part of the authorities of the Territory to supervise the trade in this way, both for its protection and to prevent smuggling. The following small documents illustrate from the Mexican and the American viewpoints the working of this supervision in subsequent years.

SAN FERNANDO DEL TAOS, September 14, 1830.

MESSRS. B. PRATTE & CO.

GENTLEMEN: It is with pleasure that I inform you of my last arrival at Santafe which was the 4th of August. we were met at Red river by General Biscusa (Viscarra) the custom house officer and a few soldiers. the object in coming out so far to meet us was to prevent smuggling and it had the desired effeck, there was a guard placed around our wagons until we entered Santafe, we had to pay dutys which amounts to about 60% on cost. I was the first that put goods

25, 1832, his brother, Marcelino, resigned the school, and the *jefe* and the vicar-general persuaded Guadalupe Miranda (who had been conducting an excellent private school in the vicar's house) to take the vacancy at 500 pesos a year, the *jefe* offering to provide a decent house for the school. The *jefe* was now authorized to order the alcaldes to employ imprisonment as well as fines in the case of parents who did not have their children in school; and the preceptors were to report to the Deputation through their respective ayuntamientos. Besides the schools listed by Barreiro in June, 1832 (Santa Fe, Bado, Cañada, Taos, Alburquerque, Belen), there was one at Sabinal in July; but that teacher and those of Alburquerque and Cañada were reported negligent, and those three schools were probably closed temporarily. July 17th also, the obstinate apathy of the respective authorities to the zeal enjoined for the education of the youth was again a matter of deliberation.

[263] *Niles' Reg.*, December 26, 1829.

in the Customhouse and I opened immediately, but goods sold very slow, so slow that it was discouraging. I found that it was impossible to meet my payments if I continued retailing. I therefore thought it best to hole Saile and I have done so. I send you by Mr. Andru Carson and Lavoise Ruel, etc., etc. CERAN ST. VRAIN.

Company of Bado.

I received from Sr. commissary Don J. Maria Alarid and on account of said Company the amount of one hundred five p^{s} which the actual Commandant of mentioned [Company] Captain D. Blas de Hinojos has considered Sufficient to maintain one officer, one Sergeant, and forty troopers who must march to meet the Caravan of Commerce from the United States of the North, and that it may be manifest I give this As Paymaster of the same. — Santa Fe, June 18, 1833.

DONACIANO VIGIL.

There are 105 p^{s}.

Hinojos.[264]

Charles Bent was captain of a caravan in 1829 which seems to have been the only one of the year.[265] But the falling off was more apparent than actual for it was reported in February, 1830, that "the inland trade between the United States and Mexico is increasing rapidly."[266]

The same year marked the beginning of communication with California. José Antonio Vaca took the southern route to that Territory with a small party of New Mexicans. Also Ewing Young, at the head of a trapping company, made a tour into the western villages, and the following year three trapping and trading parties set out, one under Wolfskill[267] opening the trail to California from Taos north to the Colorado river. The trade which developed over this route consisted in the exchange of New Mexican blankets for California mules and horses. But goods were carried through from the United

[264] Chit., ii, 520; N. Mex. Hist. Soc. (Santa Fe), MSS., a leaf of June 18, 1833.

[265] Bent's Fort and trading post was established on the Arkansas river this same year.

[266] Gregg, i, 106; Chit., ii, 515 (quotation from *Missouri Intelligencer*).

[267] José Guillermo Wolfskill made a legal application for citizenship, dated Taos, March 25, 1830. David Waldo was a naturalized citizen on September 19, 1831. (Lib. of Cong., *N. M. Archs.*)

States to the shores of the Pacific even in those early days.[268]

An official report[269] on the taxes of the Federation, rendered April 30, 1831, showed the returns of the "sub-commissary of New Mexico":

By the branch of common importation . . .	1,333.	3.	8.
By importation of cottons	16,306.	6.	9.
By diverse exports	151.	4.	0.
By 5 & 10% tax, buying and selling . . .	3,907.	5.	8.
By excise duties	10,849.	1.	9.
	32,548.	5.	10.
Deducted for salaries and expenses . . .	1,235.	0.	0.
Net balance . .	31,314.	5.	10.

Comparing this statement with the data given for the year 1826,[270] we see that the duties of *internacion* had increased from an average of fifteen per cent to between fifty and sixty per cent, and the *consumo* tax from three per cent to five and ten per cent. Gregg reported the value of the merchandise carried in 1830 as estimated at $120,000, and if he was correct, the balance shown in the above statement would partly substantiate the assertion of American traders that only a third of all duties reached the Federal authorities.

The people of New Mexico would gladly have availed themselves of all the customs and excise revenues, and, with this in view, even amid the conditions which have been described in this chapter, was initiated the first effort ever made to secure Statehood.[271] By comparing the estimates prepared with the fiscal report given above and by noting also that the expense

[268] Chit., ii, 535. In 1849, a Richard Campbell of Santa Fe stated to General J. H. Simpson (*Journal of a Military Reconnoissance*) that he had traveled from New Mexico to San Diego by way of Zuñi with a party of thirty-five men and some pack-animals in the year 1827. There is nothing to verify his memory as to the year; such reminiscences are always unreliable. Twitchell, *Leading Facts of New Mexican History*, ii, 142-3, gives what details there are in the matter.

[269] U. of Calif. Lib., *Not. Hist. de Chih.*, 209.

[270] V. *note* 210, *ante*.

[271] The proposal was initiated in the ayuntamiento of Santa Fe early in March, 1831, and was endorsed by the other town councils named on March 13, 14, 15, 16,

of the Federal troop would be in addition to this estimate, it is easily seen that the proposal was too visionary and the proponents too optimistic, especially in view of the conditions then prevailing in both nation and Territory. Yet the plan is of historic interest and also gives insight into many details of administration and of conditions at that time. Citizens Juan Estevan Pino, Juan Felipe Ortiz, and José Francisco Baca drew up and circulated the project, and after it had been

17, 18, 23, 25, and 31 respectively. As presented to the Deputation it embraced five articles:

1st. That the name be "State of Hidalgo."

2d. That the State be free from all duties on imports, exports, and consumption for the period of fifteen years.

3d. Because of their poverty, that their *contingente* (share in national expenses) be not over 2,000 pesos for ten years.

4th. That a Federal troop of at least 1,500 men be furnished soon at a suitable post on the Rio Colorado (Red river).

5th. That the new State have a commandancy separate from that of Chihuahua.

The estimates on which the proposal was made were as follows:

Expenses.			
LEGISLATIVE			
11 deputies at 100 pesos	13,200.	0.	0.
Officials and office of secretary	3,000.	0.	0.
Furnishing of hall and offices	2,000.	0.	0.
EXECUTIVE			
1 governor	3,000.	0.	0.
1 secretary	2,000.	0.	0.
1 official	1,000.	0.	0.
3 clerks at 1 peso a day	1,095.	0.	0.
Furnishing of secretary's office and expenses	2,500.	0.	0.
JUDICIAL			
1 magistrate of knowledge and probity with colleague to occupy halls of 2nd instance, 3rd inst., and appeals	4,000.	0.	0.
1 secretary	800.	0.	0.
1 attorney well instructed	3,000.	0.	0.
For the secretary's office and a clerk	1,000.	0.	0.
GENERAL ADMINISTRATION OF REVENUES			
1 *Administrador General*	2,000.	0.	0.
1 accountant	400.	0.	0.
1 clerk	365.	0.	0.
ANNUAL CONTINGENT TO THE FEDERATION			
In case the 3rd request be granted	2,000.	0.	0.
Total expenses,	41,360.	0.	0.

signed by the *ayuntamientos* of Santa Fe, Sandia, Alburquerque, Tomé, Belen, Sabinal, Socorro, Laguna, Jemes, and Taos, they placed it in the hands of the governor, and the latter brought it before the Deputation. That body discussed whether it ought to be submitted to all of the *ayuntamientos*, but it was finally decided by a vote of four to one to place it in the archives and nothing more was heard of it.

Note: When the revenues of the State will permit, a printing-press and outfit will be purchased.

Receipts.

Estimate of annual *internación*	40,000.	0.	0.
Duties of *consumo*	600.	0.	0.
Excise-duties from other States	600.	0.	0.
Those of "Tithe-ninths"	1,332.	0.	0.
Assaying tax	—	—	—
Legal (sealed) paper	100.	0.	0.
Lottery, if established, for the present	—	—	—
Cocks and billiards	50.	0.	0.
Mezcal liquor	50.	0.	0.
Revenue from unused lands and waters	3,000.	0.	0.
State properties	100.	0.	0.
Court-fines and branding licenses	200.	0.	0.
Confiscations or fraud in revenues	500.	0.	0.
Coinage and improvements, for the present	—	—	—
Exportation of money for foreign countries	600.	0.	0.
Internal revenue of the State, nothing until regulated by Congress.			
Tobacco or *punche*, until the tax is regulated	1,000.	0.	0.
	48,132.	0.	0.

Comparison	48,132	
	41,360	
Surplus	7,772	(?)

Note: Even supposing that the receipts and disbursements be equal, there appears to be sufficient.

CHAPTER IX

CONTEMPORARY OPINIONS ON NEW MEXICO IN 1832

In the year 1832, New Mexico was at the height — or depth — of her experience as a Territory under Mexican Federal administration. A decade had now elapsed since the people of New Mexico had welcomed so enthusiastically the establishment of independence, but the dual character of the governmental system which the Mexicans had adopted was proving an utter disappointment. Before we take up the last unhappy years of the Territorial period, however, we may supplement the records which have been presented thus far with contemporary views of conditions in New Mexico at this time which have been left us by the curate of Taos and by the legal adviser of the Territory.

Presbyter Martinez, casting a glance over the situation which the people of New Mexico held in that epoch, saw that their political situation was deplorable, sad, and worthy of commiseration. He discovered that the cause which held them in such a doleful state was the ignorance in which the Spanish and Mexican governments had kept them, thus letting the clergy exercise a powerful influence over their temporal interests. The result was that the clergy had imposed on them the payment of the tithes and firstfruits, operative alike upon the products of agriculture and livestock; as also enormous tariffs through the exercise of the acts of their ecclesiastical ministry, which they exacted with rigidity and without mercy, so that many times the poor had to bury their dead in the deserts because unable to pay the impost; to leave their little ones unbaptized because unable to pay for the baptism; and many times living in scandalous concubinage through not having that with which to pay for marriage. There were those who stole in order to satisfy such taxes, so that the courts found themselves occupied with such complaints.[272]

[272] V. *note* 187, *ante*; also part i, chap. vi, Twitchell, *Leading Facts of N. M. Hist.*, 164, *note* 110, states that during a visit to New Mexico in 1730, the bishop had issued a statement publicly, fixing the fees for such rites of the church and

Recognizing that such burdens, instead of edifying the faithful and promoting the well-being of society, only served to corrupt the Christian citizen, the presbyter raised his voice in a treatise against so destructive a practice, and with all the force of his reasoning he exposed, to the life, the dire results of such abuses. He addressed his treatise to the Territorial Assembly [Deputation] and there it was received by them and forwarded to the National Congress, where it gained the applause of that august body. It was placed before the Republic through the press, and with the backing of other treatises similar in object, prepared and forwarded by citizens from various parts of the Republic, the Federal Mexican Congress, after mature deliberation, in the year 1833 withdrew the civil obligation for the payment of the tithes enjoyed arbitrarily until then by the clergy.

The Most Illustrious Señor Zubiría, Bishop of Durango, to whose diocese this Territory of New Mexico pertained, saw the treatise made by the presbyter, and instead of censuring it he considered it the opinion of a priest in his capacity as a citizen, recognizing the right which he had, under the Mexican Constitution, to express his opinions in political matters.[273]

Another and a more detailed *ojeada*, or glance, over New

aiming thus to prevent undue exaction. Sixteen dollars was the limit set for a marriage, or for a funeral with requiem mass, aside from some incidental expenses. The same author quotes from Davis, *El Gringo*, 186, the following fee-bill incurred at Santa Fe by a young Mexican señor in departing this life:

Tolling the bells	$10.00
The grave	30.00
The grand cross	1.00
High mass yestments	3.00
Holy water	1.00
Candlesticks	1.00
Censer	1.00
Stands (for coffin)	3.00
Interment	30.00
The mass	20.00
Use of the organ	15.00
The chanters	6.00
The response of the oratory	10.00
Fee-additional for the deacon	10.00
	$141.00

[273] *Mem. de Mart.*, 17-9. A manuscript copy of this *exposición* is in Lib. of Cong., *N. M. Archs.* That of November 11, 1831 (v. chap. viii) was an earlier treatise from the same hand, to which Barreiro refers at the close of his *Ojeada*.

Mexico, at this period was that prepared by Lic. D. Antonio Barreiro.[274] Three views on conditions in New Mexico are presented to us by statistical tables which he included in his work:

NUMBER ONE

Note of the places in the Territory which have *ayuntamientos* according to the law, and those with only an alcalde and an attorney.

PLACES WITH AYUNTAMIENTO	PLACES WHICH HAVE ALCALDE AND PROCURADOR	
Santa Fe	(These alcaldías recognize Santa Fe as their head)	San Miguel del Vado
		Chochití [Cochití]
		Xemes
San Miguel del Vado		
		Sandía
Cañada	(These recognize	San Juan
Taos	Cañada, as does also Taos)	Abiquíu
	(As head or capital of the following is Alburquerque)	Alburquerque
		Isleta
		Tomé
		Belén
		Sabinal
		Socorro
		Laguna

We find in this table the same districting as that which was made on January 4, 1823, but eleven places which now had only two officers had had at least half-ayuntamientos in previous years. Even of the three ayuntamientos which Barreiro reported he wrote: "The ignorance which prevails in this Territory causes these bodies, in which by the law has been reposed a large measure of the common weal, to be null and insignificant." He used the same words with regard to the Territorial Deputation, "because it has not sufficient authority to operate by itself." A new law should place its attributes on

[274] In response to a request from the state department in the spring of 1832, Barreiro sent this work in the following June and it was published at Pueblo the latter part of the year. (Univ. of Calif., the Bancroft copy.) He had been preparing the *Ojeada* during the leisure of his office since his arrival in 1831.

a different footing, for "those which it holds by chapter 2 of the decree of June 23, 1813, are wholly 'ideal'; some because they antagonize our system, and others because they do not suit the conditions of the country." [275]

Further, Barreiro wrote, "the political government of New Mexico is entrusted to a *jefe* whom the government appoints and removes at will. . . This ability on the part of the Supreme Government . . . is surely very doleful and prejudicial; because it opens the door to the most ambitious, so that men, perhaps without merit, can seat themselves simply by perseverance and influence." Indicating the abuse of his powers possible to him, Barreiro said that they should be so clearly defined as to "tie his hands for evil and leave them free for good."

The means of correction for such unstable and ineffective government was indicated to lie in the course of time and in the protection which the government might give to enlightenment. The public schools at this time were thus listed by Barreiro:

NUMBER TWO

Table which shows the places which have schools of primary letters, and compensation of their respective teachers.

Santa Fe	0,500 pesos
San Miguel del Vado	0,250
Cañada	0,300
Taos	0,250
Alburquerque	0,300
Belén	0,250
Amount invested in teachers	1,850

Comparatively nothing in the Territory is better endowed than the schools; yet nothing is found in worse state than they. Nor are any

[275] *Ojeada*, 28. Yet the records already presented show that this condition was in considerable part the result of gradual deterioration. Either by virtue of prestige inherited from the Spanish régime or by a readier submission of the populace to them as authorities when the country had been in better circumstances, both the Deputation and the ayuntamientos had, in earlier years, rendered efficient and effective service.

results seen from the primary teaching, this misfortune being due in part to the neglect, indolence, and ignorance of many teachers, as also to the small zeal of the authorities.[276] . The liberty of the press . . . is the firmest support of liberal institutions, . . . but not a press was to be found, nor do those papers circulate which nourish that public spirit which is the only soul of a free republic.

Barreiro thought that the best way to correct this state of affairs would be to carry out the Spanish decree of twenty years before — to establish a bishopric and a seminary of higher studies in the capital.[277] The only thing that he could praise in this connection was the private school conducted by Guadalupe Miranda in the house of the vicar and the progress made by his students despite the lack of books.[278]

A third statistical table shows the duties as reported by the sub-commissary of New Mexico for the period from July 1, 1829, to May, 1832:

YEAR	CASH RECEIPTS	DUES	DEPOSITS OF CONTRABAND
July 1 1829, to end of June, 1830,	25,834. 0. 0.	00,000. 0. 0.	02,958. 0. 0.
July, 1830, to June, 1831, .	35,706. 7. 4.	16,209. 4. 6.	00,000. 0. 0.
July, 1831, to May, 1832, .	25,227. 0. 0.	39,607. 4. 3.	00,000. 0. 0.

Barreiro states that there was no export duty on beaver pelts, and that some Americans stayed over a season to engage in trapping. Those who returned to the United States endeavored to carry skins instead of money for two reasons: to avoid the export duty on silver, and to secure the large profit on the skins.

At a conservative estimate, 10,000 or 12,000 buffaloes were killed each year; and of sheep thousands were bred — a line in which New Mexico excelled all other parts of the Republic.

[276] *Ojeada*, 29.

[277] Just when the seminary which was started in 1826 failed, cannot be stated, but probably it ran for only the year or less during which Sebastian Albares was preceptor of it.

[278] In April of 1832, this young man was persuaded to take charge of the public school in Santa Fe at a salary of 500 pesos, Marcelino Abreu having resigned when his brother became *jefe político*. (Fed. L. O., *legis. mins.*, April, 1832.)

"There are men who contract to deliver in Durango annually 15,000 and more sheep at 9 reals or more," but this business had been monopolized by a few persons and therefore was not so beneficial as the other exports. The trade in skins, woolcloth, tobacco, etc., was perfectly distributed among all classes, especially in the lowest and middle classes. A multitude of people set out, especially in October, and scattered in all directions: to Chihuahua, to Pitic, to Guaymas; to the fairs at Aguascalientes or San Juan; to Durango and even to the Californias.

In 1832 there were only 106 regular soldiers in the single paid troop, and they were uninstructed in the handling of artillery and they were even lacking in mounts. This troop was helpless without the constant aid of the citizens, and among the latter the organization of civic militia was entirely unknown. New Mexico needed a military commandant independent of Chihuahua, and at least the troops which had been promised to New Mexico by the law of 1826. The present troop was stationed at Santa Fe, where it afforded but slight protection to the frontiers. Either it or a second troop, mustered in or transferred from Chihuahua, ought to be placed as a *presidio* at Valverde, then a ruined hacienda on the southern frontier. Such a post would facilitate a weekly mail service and also would permit the collection of the *consumo* tax, which was then entirely ignored.

The public treasury was under a commissary, subordinate to Chihuahua, and the only employes were an inspector and a clerk. The building used as a customs house was inconvenient, dirty, and insecure; it was often robbed and in many ways the responsibility of the chief official was compromised. There was no national warehouse for storage of the effects which must be appraised for the collection of duties, so when the American caravans arrived, many loads were deposited in private houses. This scandalous method gave rise to many frauds, for how could the official depend on the integrity of the masters of such houses when no responsibility rested on

them?[279] Lack of guards and local circumstances favored contrabanding, and the public treasury yearly lost great amounts.

The judiciary also ought to be established as planned some years before,[280] by installing a lawyer of integrity and other efficient officers.

Barreiro's last criticism was on the spiritual administration in New Mexico, which, said he,

is in a truly pitiful condition. Nothing is more common than to see unnumbered sick die without confession or extreme unction; nothing rarer than to see the eucharist administered to them. Corpses lie unburied for many days, and infants are baptized at the cost of a thousand sacrifices. There are unfortunate ones in considerable numbers who pass most of the Sundays in the year without having mass; the churches are almost destroyed, and most of them are surely unworthy of being called temples of God.

The missions and curacies without regular pastors are in charge of temporary missionaries and curates; and the most of these parishioners are visited only a few days in the year. Should not the poor people who suffer this neglect resent deeply to see that they must furnish, from their crops and herds, the support of a priest who does not live with them and who scarcely ever helps them with the consolations of religion in that last hour when they most need them?

There is an absolute lack of ministers, since almost all the missions and curacies of the Territory are vacant.[281] The causes which have produced . . . so great abandon for so long a period are very clear, since many ecclesiastics aspire only to hold rich curacies with which to make a fortune, or to display a luxury surely opposed to the spirit of the Gospel. On the other hand, the curates and missionaries of this Territory must subsist on a meager competence; they find themselves separated from cultured intercourse; isolated in these corners of the Republic where only disagreeable objects surround them, and generally, dangers; they are deprived of the pleasures with which civilized places allure; they come to live on some miserable ranch and to endure other privations which influence not a little the spirits of men who are

[279] *Ojeada*, 37.

[280] Early in 1828, as we have seen.

[281] Of the nineteen Indian pueblos, only five had missionaries living in them when Barreiro wrote. (V. *Ojeada*, 15.)

accustomed to a different order of things; and if to these considerations they add the gloomy idea that they must pass the best of their lives in solitude and want, looking to end their career without the help of their poor parishioners, whom by the weariness of years they will not then be able to serve, and reduced to subsisting on charity or the wretched income of some chaplaincy — on these terms, I say, what ecclesiastic who is not animated by a spirit truly apostolic will care to seek so unhappy a destiny? It is true that in it they could win merit very commendable and fitting the obligations of their ministry and of Christian charity, but certain it is that all flee from it.

The remedy proposed was that ecclesiastics who served for ten years in the cure of souls in these pueblos with the approval of the government, should then be preferred to prebends in the cathedrals of the Republic. The missions ought to be secularized, and the bishop and collegiate seminary ought to be established in Santa Fe. The tithes were sufficient for the necessary expenses, but "now they serve only to enrich three or four individuals, without profit either to the spiritual welfare of New Mexico or to the temporal welfare of the Republic."

I will conclude . . . and in brief will say that Christian piety is indignant to see the abuses committed in New Mexico in the culture and cure of souls, and charity bids a veil be drawn over many things of which mention would cause scandal. . . As sole remedy for so many evils, the Territory calls for the shepherd of her church. "The harvest is much, but lacking are laborers; let us pray the Lord that his reapers may come to it." [282]

[282] *Ojeada*, 39-41. Evidently he quotes Matt. 9:37-8 in the Vulgate from memory.

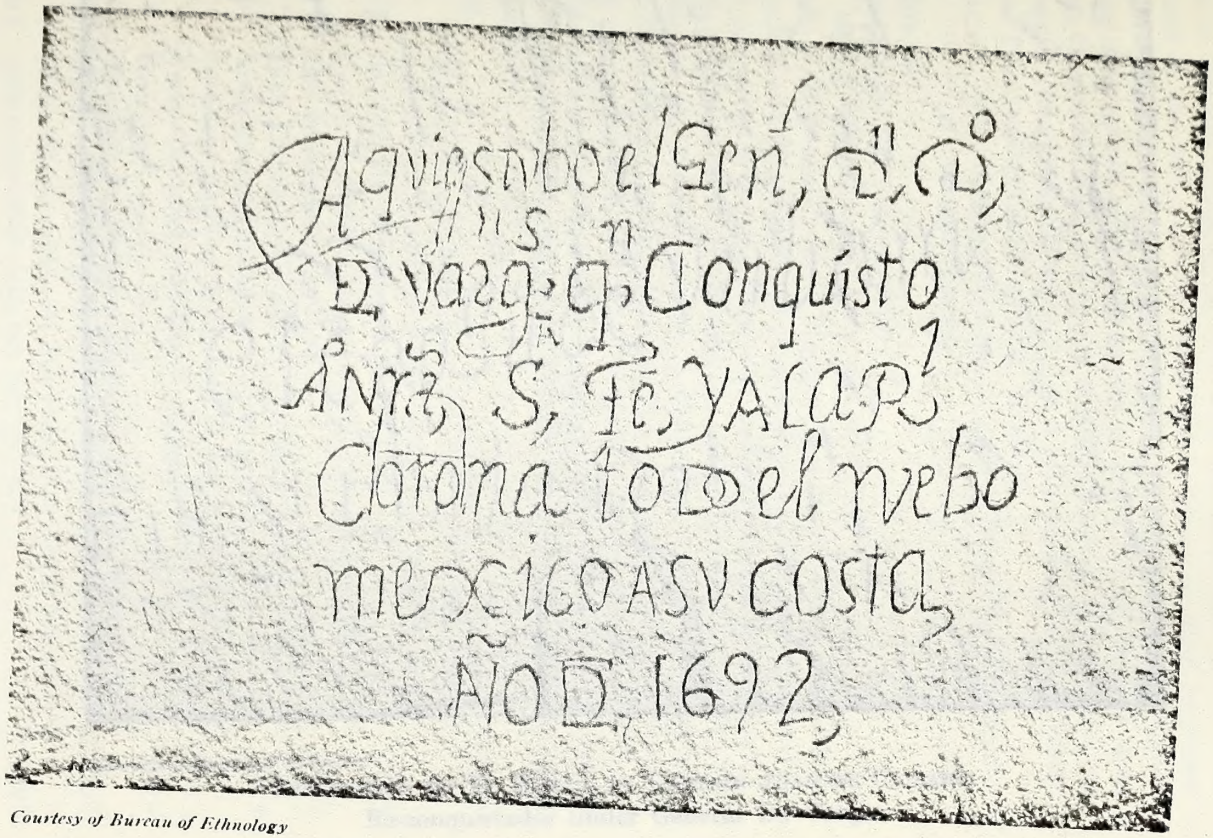
As succeeding chapters carry us beyond the years for which Barreiro is an authority, it may be well at this point to emphasize again the historical reliability of this solitary trained lawyer of pre-American times, as also the reliability of Pedro Bautista Pino. Their contemporaries did not consider that either Pino in his *Exposición* before the Spanish Cortes in Cádiz or Barreiro in his *Ojeada*, prepared for the Mexican national authorities, had been guilty of misrepresentations of conditions and facts in New Mexico. That just the opposite was the case is evident from the fact that these two men alone were honored in those times with second terms as representatives abroad for New Mexico; and the further fact that in each case the reëlection was subsequent to the publishing of their respective works. Indeed, we shall see at the close of the following chapter that even Barreiro's first election occurred in the year subsequent to the year in which his *Ojeada* was published.

THE RE-CONQUEST OF NEW MEXICO, 1692

EXTRACTS FROM THE JOURNAL OF GENERAL DON DIEGO DE VARGAS ZAPATA LUJAN PONCE DE LEON

THIS day Tuesday, the twenty eighth of the present month of october, as dated ——, I, the said Govr. & Capt. Genl., wishing on my part to accomplish the impossible for the greater Service of his Majesty and to put a complete end to the reduction and conquest of the native tribes which in this Province of new Mexico I to my cost had begun to reduce and conquer for our holy faith and the Royal crown; Of the tribal Villages reduced and conquered there are seventeen and in them there are one thousand five hundred and sixty children, boys men and women of all ages and both sexes, Baptized; only the provinces of zuñi and moqui are lacking and they lie distant from this point more than a hundred Leagues it is said and because the friendly soldiers who came out from El Paso del norte are crippled and their horses tired out and the winter season in these regions is severe, having experienced in the present month some snows and heavy frosts, all which uses up the horses and makes them torpid, in order that the said [soldiers] shall not lose them and likewise the ten Citizens who followed me from the said Village of El Paso, I order the Captain of artillery and the sergeant major to make ready the Wagons and oxen and the mule teams for the conveyance of the carts and the bronze pieces and Likewise I detail eight soldiers of the company belonging to the Post of El Paso, whom I order to serve as escort, and at their head Diego Zervir, Chief of one of the squadrons of the said Company, he being a good and careful soldier, and Likewise the muster-roll and List of the Captives that it might be sent to the said Village of El Paso with the said persons who were their kinsmen with whom they left the said reduced and conquered province and went to the said district of El Paso & said List was made in the presence of the sergeant major, Christobal tapia, so that it should be

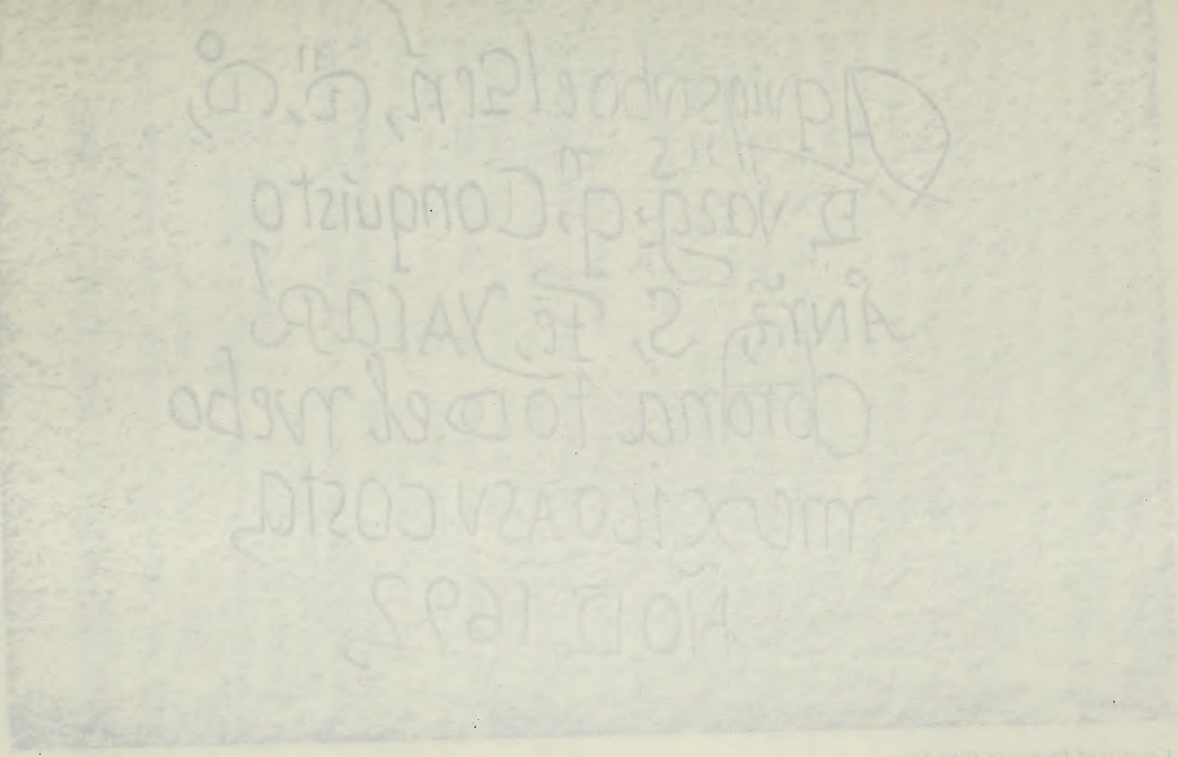
SAID GOVR. & CAPT GENL. FINDS IT BEST TO DISPATCH TO EL PASO DEL NORTE THE PRISONERS, WAGONS AND CARTS WITH THE BRONZE PIECES AND ORDERS THE FOREGOING TO BE MADE READY AND A LIST AND MUSTER-ROLL OF THE CAPTIVES TO BE PREPARED.

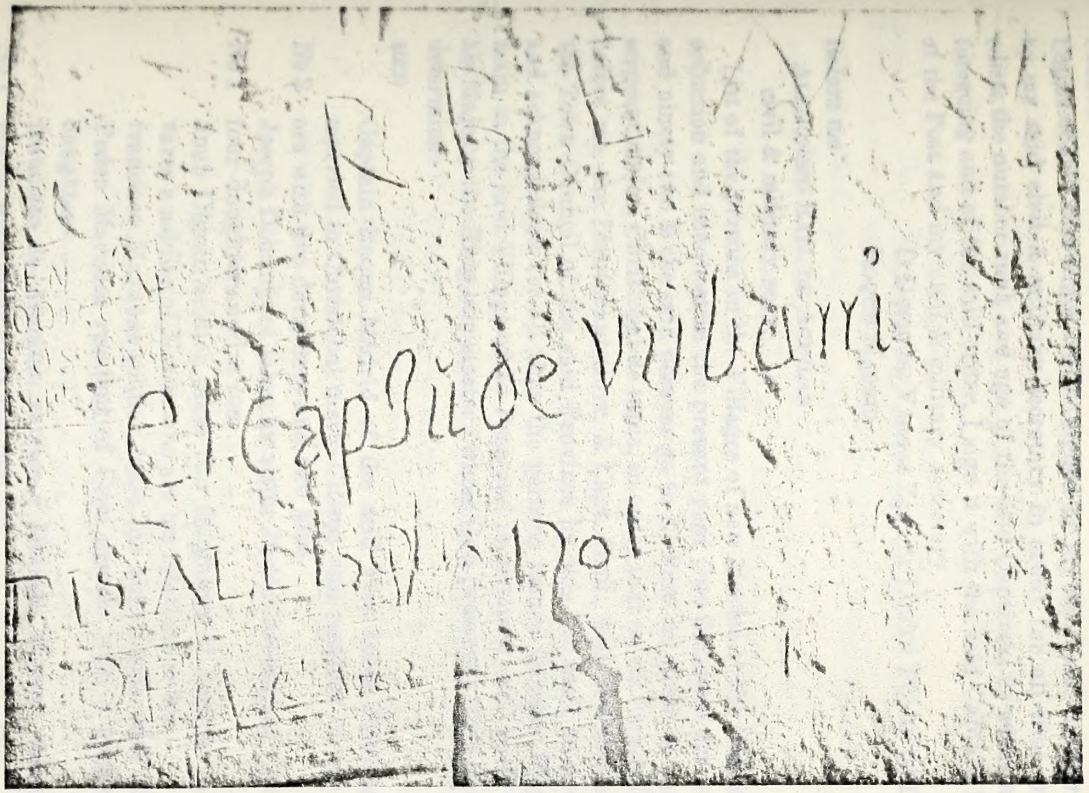


Courtesy of Bureau of Ethnology

INSCRIPTION ON EL MORRO BY GENERAL DE VARGAS

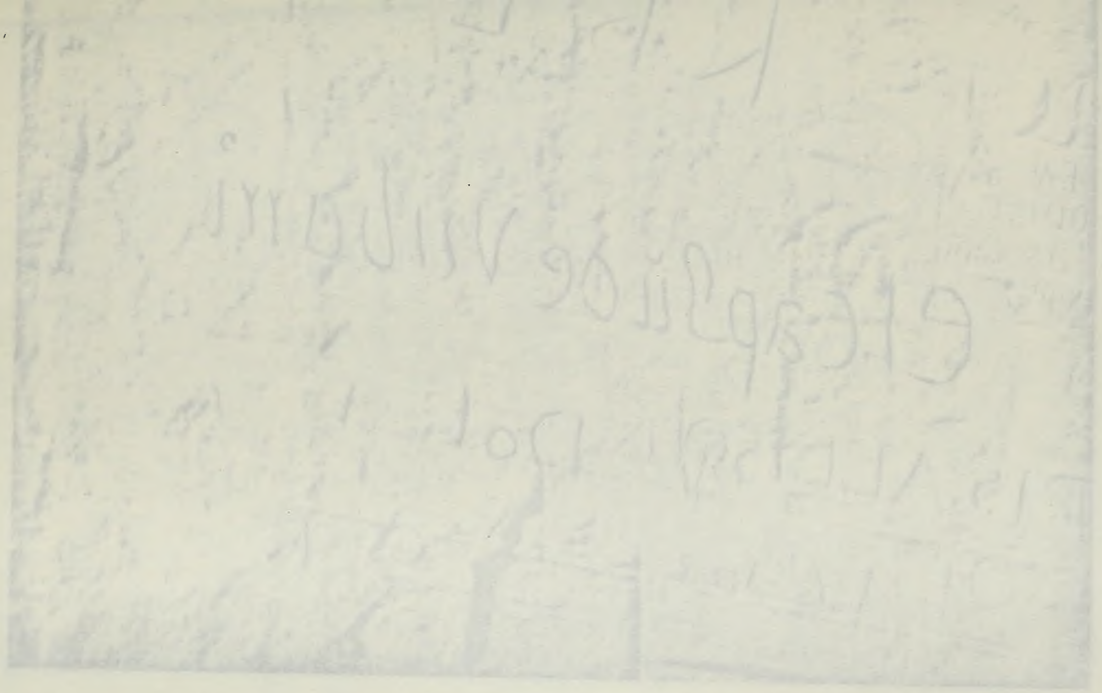
Translation: "Here was the General Don Diego de Vargas, who conquered for our holy faith, and for the Royal Crown, all of New Mexico, at his [own] expense. Year of 1692."





Courtesy of Bureau of Ethnology

INSCRIPTION ON EL MORRO BY CAPTAIN JUAN DE ULIBARRI
Re-conquistador under General De Vargas



his charge to carry and deliver it to my lieutenant Govr. and Captain Genl. in the said Village of El Paso, with the concurrence of the Town Council of the said province living there, giving to them duplicate Copies of said List which will be signed by my hand and countersigned by my said civil & military secretary to attest for all time in these edicts the number rank and age of the said Captives; in witness of the foregoing and of the said order, I sign it with the said Captain Ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Roque Madrid

Before me
Alphonsso Rael de Aguilar
civil & military secy.

List of the persons in the Villages of new Mexico at the time of their reduction and conquest in the present year One thousand six hundred and ninety two & the said persons go to El Paso del norte in charge of sergeant major, Christobal de tapia, in order that on its Parade Ground before me, the Lieutenant Govr. & Capt. Genl., with the assistance of the Town Council of the said Province by this list shall be presented and acknowledged for all time the persons named therein, they to remain in the said Village of El Paso and its suburbs until such time as his Majesty the King our master (whom God preserve) shall order and determine:

MEN		WOMEN
	Captain Roque Madrid of the said Post takes Petrona married to Christobal nietto Citizen and resident of son-	
No 2	ora with five daughters and two sons	No 6
	Joseph Dominguez takes his sister Juana Dominguez with	
No 1	four daughters and a son	No 5
	Juan Olguin soldier takes two daughters of Joseph ne-	
	vares a soldier of Xanos who are his relations or kin .	No 2
	francisco Marquez soldier takes his aunt Luzia wife of Pedro Marquez resident of Casa grande with a grown	
	daughter	No 2
	francisco de Almazan carries a Mulatto Woman called	
No 1	Maria with three girls and one boy	No 4
	Diego Garzia soldier of this Post takes Juana his relative	
No 1	with a girl child and a boy her children	No 2
	Sergeant Juan Ruiz de Cazares takes an Indian named	
No 1	Thome with his sister Antonia & says they are his cousins	No 1

	Stephen a teguas Indian of isleta takes an Indian woman called Maria who has a mother and husband in said Village	No 1
	he takes also another Indian woman called Cathalina unmarried with a girl child who she says is her sister . .	No 2
	he takes also an old Indian woman called Isabel to her sons who live in said Village	No 1
	francisco an Indian of the Village of Isleta takes his	
No 1	Mother called elena with a son	No 1
	the same has besides a grown daughter called Maria and a	
No 1	grown son called francisco	No 1
No 1	also another son of the same called Juan	
	he also takes an Indian woman a relative called Isabel	
No 1	with a boy	No 1
	he also takes two daughters of the said Isabel . . .	No 2
	Juan an Indian of the teguas tribe takes his sister-in-law	
No 1	called Isabel with a daughter and a son . . .	No 2
	also he takes in his company a teguas Indian called Ste-	
No 1	phen who is going to marry the said Indian woman	
	Antonio an Indian of Isleta takes his Wife who was in	
No 1	San Christobal called Luzia with a daughter and a son .	No 2
	francisco an Indian of El Paso takes his sister called	
No 1	Maria with two daughters and a boy also he takes a tegua	
	Indian named Juan who is going to marry the said Indian	
No 1	woman at El Paso	No 3
	also he takes an Indian called Pedro who has a Father and	
No 1	Mother in Isleta	
	There goes to this Village of El Paso an Indian called francisco of the Piro tribe who has a Mother in that Village, & also in his company there is an Indian woman called Ana of the Piro tribe with a son and a daughter	
No 2	whom she says she is taking to marry her in that Village	No 2
	also there is an Indian woman a sister called Antonia who was found a prisoner among the Pecos	No 1
No 1	An Indian of the teguas tribe called Sebastian a bachelor	
——	also two Teguas Indian women who came looking for the	
N 17	Spaniards at this farm of Mexia the one called Juana the other Luzia who are going to isleta to their relatives .	No 2
		——
		N 40

said List was prepared as aforesaid with the assistance of the above-

mentioned Sergeant major, Christobal de tapia, the Captain of the Fort, and the sergeant, Juan Ruiz de Cazares, being witnesses and signing it with my civil and military secretary at this farm of Mexia, this day Wednesday, the twenty ninth of october sixteen hundred and ninety two — revised [?] wednesday — Attest:

D Diego de Vargas Zapata Lujan Ponze de Leon
Xptobal de Tapia
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

DEPARTURE OF THE SERGEANT MAJOR AND CAPT. OF ARTILLERY WITH THE PERSONS IN THEIR CHARGE FOR EL PASO DEL NORTE

This said day, Wednesday, the twenty ninth of october, as dated, there departed from this said spot the said persons who are going to El Paso provisioned with Meat, cornmeal [&] biscuit and the soldiers and Citizens with chocolate, sugar, tobacco and Ham sufficient to take them to the said Village of El Paso, as this witnesseth, and Likewise the escort of the oxen and carts were provisioned in the same way; I sign this with the said Capt. Ensign of the Post and my civil & military secretary — wednesday.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy

DEPARTURE OF THE SAID GOVR. WITH TWO COMPANIES FOR THE PROVINCES OF ZUÑI AND MOQUI & ENTRY INTO THE VILLAGE OF ISLETA

This said day, Thursday, the thirtieth of the present month of october, as dated, I, the said Govr. & Capt. Genl., left this said place of Mexia with eighty nine soldiers and military chiefs and officers of two companies and thirty Indian Runners, those only that could be detached for the said entry conquest and reduction of the Provinces of zuñi and moqui, and I arrived at this Village of Isleta which is deserted and ruined with the exception of the nave of the church of which the Walls are in good condition, the which stands on the other side of the river del Norte; in witness of the said march which appears to be five leagues,

I sign this with the said Captain ensign and my civil & military secretary — witnessed [?] twenty ninth — no attest.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Friday, the thirty first of the present month of october, as dated, I, the said Govr. & Captain Genl., arrived with the said Force at this point which they call the river puerco and because the Ford is so deep it was necessary to carry the provisions over on the [men's] shoulders and the said march was seven to eight Leagues; in witness whereof I sign this with the said Captain ensign of the Post and my civil & military secretary.

ARRIVAL AT THE RIVER PUERCO

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
Civil & military secy.

This day, Saturday, after mass, the first of november of this present year sixteen hundred and ninety two, I, the said Govr. & Captain Genl., with the said Force arrived, after having traveled about a League, at a Marsh which it is said has never been known to have water in it and it appears that the springs of the slopes and ridges that surround it and the overflow of the little stream of the skeletons [de los quelites] may have made it, and because the horse and mule teams had come through without drinking of the water of the previous river, the puerco, I halted as the journey of the day with a heavy rainfall prevented moving from the said flat and Encampment; in witness whereof I sign this with the said Captain ensign of the Post and my civil & military secretary.

ARRIVAL AT THE MARSH WHICH IS NEAR THE MESAS WHICH DESCEND FROM THE STREAM OF SAN PHELIPE

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Sunday, the second of the present month of november, as dated, I, said Govr. & Capt. Genl., arrived with the said Force at this watering-place, the Well [Pozo], which was the place that I might have stopped and the horses drank, although with difficulty, and the said march was ten Long Leagues; in witness whereof I sign this with the said Captain ensign of the Post and my civil & military secretary.

ARRIVAL AT POZO

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Before me: Roque Madrid
Alphonsso Rael de Aguilar

This day, Monday, the third of the present month of November, as dated, I, the said Govr. & Captain Genl. on account of the small supply of water, left this point at eleven o'clock with the said Force, and having passed a bad bit of Road and a hill and journeyed about a League, I discovered and they pointed out to me the hill which is called the Peñol de acoma and in a short time we descried the smoke made by those traitors, enemies, treachrous rebels and apostates of the queres tribe, and, in order to go there and see the enemies, I drew rein and ordered the military heads and officers of the two Companies to bring up five squadrons, for which purpose I halted in view of the other great rock on the right side of the said Road and slope which appears to be higher, and, the said men of said squadrons ordered having come up, I marched on with the said chiefs and before arriving at the said rock at about the distance of a musket-shot I ordered them to follow me in file and as I cried "Hail," they should do the same, and, having reached the said rock, peopled with the said unfriendly people, they said in loud Voices "Hail," and, at the same moment, the said men accompanying me said it and repeated it, and we heard the said enemies say "forever"; whereupon I talked to them through an interpreter, telling them I had come to pardon them and I repeated all that I had said and certified in the other Villages, and, fearful and timid, they answered that they did not believe I would pardon them which obliged me to show them and tell them that I took the holy Virgin to witness that I was leading them under the Royal standard and to the holy cross of the rosary and they might be sure if they came down to see me that I would pardon

ARRIVAL AT PEÑOL DE ACOMA — INHABITED BY THE REBELLIOUS QUERES TRIBE WHO KILLED FOUR HOLY MEN IN THEIR UPRISING.

them; notwithstanding which they repeated many questions and it was not sufficient to convince them of my Truthfulness; an Indian among those aforesaid in my Following went up [among them] and shook hands and embraced them and I referred to all that had taken place in previous Villages and what was done by the man who went up among them was repeated by a Zuñi Indian and another from Moqui who came with me from the Village of the xemes, and the said moqui Indian even brought up his sister, who had come from the said place, the said sister having been a Captive of the apaches, and all of them standing above us, after many and repeated questions, and until the aforesaid Reverend Fathers had told them that they might be assured and come down as I had said, at the end of a brief time they told me to go to the other side of the said Rock where they make their ascent and we all went around and mounted by the sandy slope which is the way they take to this entrance and on it we halted leaving the said party of soldiers behind, down below, expecting that the said enemies would come down; they stayed in the ditches without speaking or answering a word and I found that the gate and entrance to the said rock was closed with a stone which they had put there to fortify and shut it up; since they told me and my men to come up in order to make the said entrance impossible since it is and would be impossible to go up except through there, and, having said to them that since they would not believe me, they should send to me the said Indians who were up above, One of them said he would call some of them who were talking to the people; notwithstanding a long time passed, and I repeated the command to him three times, and, at the end of much time, my said Indians came down, one of whom is the Wolf of zuñi, named Ventura, bringing me gifts of a watermelon, a Cooked Pumpkin and some cakes, and telling me that they were sending that man to tell me that at night they would all have a talk and in the morning I should return and they would send me their reply; and although the recently appointed sergeant major dismounted and with the first Indian went up as far as the closed gate telling them in their own language that they should come down, he could not persuade them and I, repeating to them with emphasis, to convince them of my good faith, they still replied that that night they would all talk together and would reply to me by means of him by whom they sent the gift, and at this point one of the soldiers who arrived at the watering place where the force had halted came bringing an Indian of the said enemies as prisoner who was loaded with a load of wood, and, still in sight of them, I caressed him, shook hands and embraced him and set him free, telling him to say to them that they should

not be afraid; notwithstanding that this said act should have made them drop their suspicions they repeated that they would determine that night what to answer me as they advised me to be watchful because all the Apaches were waiting for me to kill me and all my people; that therefore they warned me; thereupon I told them that only those who were Christians were my friends; that I had no fear of the apaches and that in the morning I should await them at the watering place and since the sun was already set I was going and would send the Indian Ventura to them; in witness of the foregoing and of having spent more than five hours in the said demands and replies, I sign this with the said Captain ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

SAID GOVR. & CAPT. GENL. SENDS THE SAID INDIAN VENTURA WITH A CROSS IN SIGN OF PEACE THAT THE SAID UNFRIENDLY QUERES OF PEÑOL DE ACOMA MAY GIVE HIM THEIR ANSWER

This day, Tuesday, the fourth of the present month of november, as dated, at sunrise, I, the said Govr. & Capt. Genl. called the abovementioned Wolf, Ventura, native of Zuñi, whom I commanded to go and carry the Holy Cross which I gave him and a Letter in which I told the aforesaid queres Indians of Peñol de acoma that my coming was to pardon them and that they should again become Christians as they had been; that to absolve them and baptize the children I brought in my Company the Fathers; that as a sign of Peace and proof of my good faith I sent the aforesaid Holy Cross and all this without an idea of doing them any harm; that they might see me and open their said gate, giving entrance to the said rock, and that I was waiting their said answer and that the abovementioned Wolf was in Company with the said moqui Indian and they knew everything; in witness of said business I sign this with the said Captain ensign of the Post and my civil & military secretary.

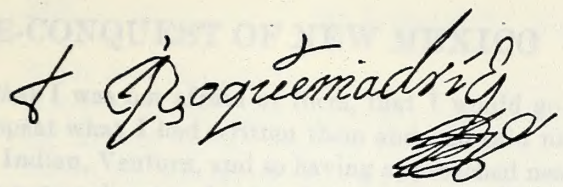
D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

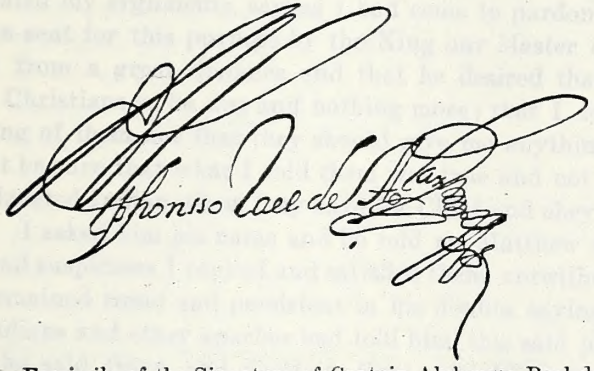
This said day, Tuesday, the fourth of the present month of november, as dated, it being about ten in the morning, the abovementioned Indian Wolf, Ventura, returned with a verbal answer to the Letter which I, the said Govr. & Captain General, gave him and also the many things I said and repeated to him that he had to do and to say to the said queres Indians, enemies, revolted rebels, apostates and traitors of the said Peñol de acoma, and he said that he had said everything to them that I commanded and told him to say, and also delivered the said Letter. The which they listened to attentively, it being read to them by an educated Indian, native of the said Peñol, and that he had also given them the said Holy Cross which the said Indian took, and he as well as all the others kissed it, and they replied to me that they were now very much afriad because they stood alone having as Friends only the Navajo Apaches and that they would advise them that I was on my Way to Zuñi, and on my return if I would let them know that then they would see and talk with me; and in consequence of the said reply I, the said Govr. & Capt. Genl., on account of the short water supply at the said place where I was, and having no other or even the said [supply] in sight to give drink to the increased number of horses and mules and stock of the present Camp, it was laboriously cleared out by the soldiers with shovels and pickaxes and in the midst of this business which had scarcely any effect even to supply the horses, and being unable to maintain myself at this place without sallying out for such a lack of water as for the soldiers as well; hearing it said that a small water supply had been discovered by the half-pay adjutant, Joseph madrid, in order to find out if it was sufficient, I mounted my horse and ordered the chiefs and officers of the said two companies to come with me and learn whether the said water supply was enough to keep on the said frontier and attempt to subdue the enemy entrenched on said Great Rock, the strength of which is unassailable, and having accomplished this and gone about One League and seen that the said watering place contained scarcely a drop of water and seeing that the unfriendly people all remained on the Top of the said rock in their entrenchments watching, it appeared to me, in order to show them my

REPLY BROUGHT BY THE WOLF VENTURA AND THE RESOLUTION THEREUPON TAKEN BY SAID GOVR. & CAPT. GENL.

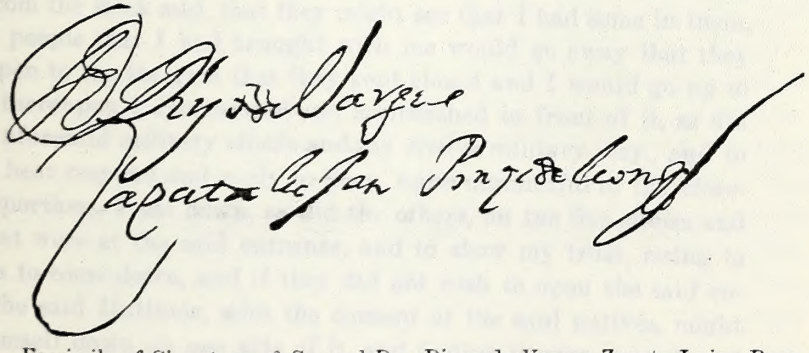
SAID GOVR. & CAPT. GENL. GOES OUT TO EXAMINE A SMALL WATERING PLACE WITH THE CHIEFS AND OFFICERS OF THE SAID TWO COMPANIES



Facsimile of Signature of Captain Roque Madrid, re-conquistador.

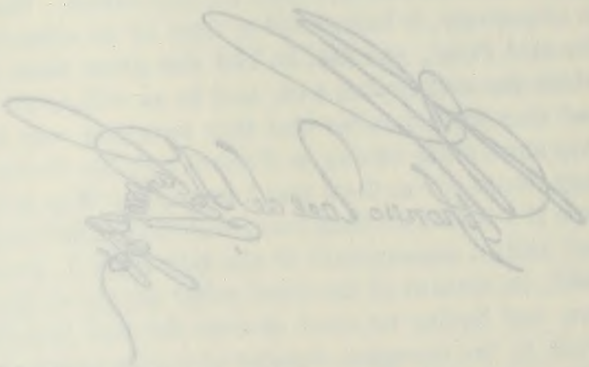


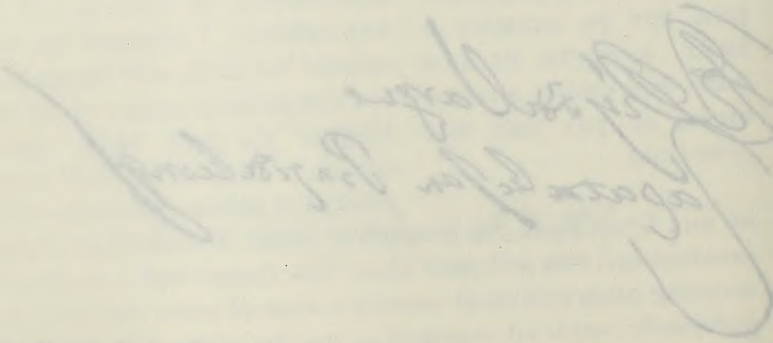
Facsimile of the Signature of Captain Alphonsso Rael de Aguilar, re-conquistador.



Facsimile of Signature of General Don Diego de Vargas Zapata Lujan Ponce de Leon, Governor and Captain-General, 1691-1697, 1703-4.







Courage and that I was not afraid of them, that I would go and talk to them and repeat what I had written them and had said to them by the half breed Indian, Ventura, and so having approached near and almost under the entrenchments, I saluted them and gave Greeting etc., and began to talk to them concerning their response; I went on to the point of the ascent where I was yesterday afternoon, as aforesaid, and having arrived there the whole multitude on the said rock Covered its front and trenches and I repeated to them with emphatic and persuasive words of my Visit that I was sorry they would not believe me; that I was a Christian and they were also that for this reason I pitied them and repeated my arguments, saying I had come to pardon them, that I had been sent for this purpose by the King our Master (whom God preserve) from a great distance and that he desired that they should become Christians as he was and nothing more; that I, too, did not ask anything of them nor that they should give me anything and that they might be sure that what I told them was true and not false; to which the educated Indian whom they have for Chief and obey in all things replied. I asked him his name and he told me Matthew and to all his doubts and suspicions I replied and satisfied them, notwithstanding which he remained timid and persistent in his doubts, saying that two friendly Indians and other apaches had told him, this said person, that when I, the said Govr. and Captain Genl., should come, they should not meet me although I would tell them that I came to hear and observe Peace because, under cover of it, I would order them all shot and hung; which statement I told them was false and that the said friendlies and apaches were liars and that the reason they interfered was that they were enemies of the Christians; that they were not our Friends, and, that since they had no confidence in me, let them come down from the Rock and, that they might see that I had some in them, the few people that I had brought with me would go away that they might open to me the gate that they kept closed and I would go up to it; and thereupon I dismounted and approached in front of it, as did also the aforesaid military chiefs and my civil & military secy., and in order to hear respond and reply to them, quite unmindful of the aforesaid preportions, I sat down, as did the others, on the flat stones and rocks that were at the said entrance, and to show my trust, rising to tell them to come down, and if they did not wish to open the said entrance, the said Matthew, with the consent of the said natives, might swing himself down on one side of it, and finding it very steep I said that we would go on afoot by the ascent that they were on and they

might come down by it, and I went on with the aforesaid persons and followers to that point and I saw that he was coming down and, having reached the last step, the said chiefs went up to meet him and embraced him and the greater part of the said Indians were coming down, all without arms, and, not to miss the full benefit of this occasion, I determined to go up the impossible part of the said approach; I called the said Reverend Fathers and they did the same and standing up above with the said Chiefs and other persons, aforesaid, on the flat top of the said rock, it is so broad and extended that it has two squares dividing it into three sections [the third] in the middle and all three are so broad that they have along the side of the said Square a very large race-track, and, drawing near the first quarter and in the Square, I ordered the Captain of the Post of El Paso to plant a Cross, the said crowd of the said Village being in front of it, everything being done through the aforesaid Educated Indian; my coming was reported to them and the Pardon which I assured them in the name of his Majesty, who was their King and natural lord and no other person, and that they were his Vassals; [he was] Lord of that Rock and of all that land that his Power was great and they were not secure there unless they were good; and in sign of the Possession he held of their Village and themselves he took that Royal standard in his hands, claiming, certifying and Proclaiming the said Royal possession, proclaimed in the name of his Majesty in the same manner as in the other Villages; and afterwards the Rev. Father brother francisco Corvera together with Father fray Christobal Alonsso Barroso gave them absolution which they all received on their knees and then proceeded to baptize the children and other persons who had not been, and I was godfather to a son of the said Capt. Matthew, to whom I gave the name of Charles in memory of the King, our master, and I was also [godfather] to many others as also the said soldiers and military chiefs and, at the end, the number of those Baptized was found to be eighty seven adults and children of all ages, men and women, and afterwards I ordered Crosses placed at the pass and that they should pray before the said Holy Cross that I ordered them to place in their said Square, every evening and morning and at sunset. When I had completed all the said [business] I went to see the holy temple they have which was dedicated to Saint Stephen, who is the titular saint of said Village, and I found it to be very large and it seemed to me even larger than the convent of san francisco in the Court in its Extent as well as in the height of its Walls, which are almost a yard and a half in thickness;

they stand firm in spite of the heavy rains which break the windows and skylights of the said church; after having seen which, it being already dark, I took leave of the said Indians and embraced and caressed my [fellow-]Godfather, Matthew, saying and repeating to him that he should take care that they all pray and that those who are instructed should teach those who do not know how and I descended from the said rock as well as I could giving Thanks to God and all much pleased to have Accomplished the said reduction and conquest in the manner aforesaid, barely fifteen men having gone up, military Chiefs and officers, my civil & military secretary being among the number; I should have been alone without any Friends if they had deserted me and I should have had scarcely fifteen Indians remaining; in witness of said enterprise I sign this with the said Chiefs and my civil & military secretary —

D Diego de Vargas Zapata Lujan Ponze de Leon
Martin de Aldar [?]
Juan Paez Hurtado
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

And furthermore, when I, the said Govr. & Captain Genl., had come down from the said Rock and Village of acoma, in which its inhabitants have two cisterns of water by which they maintain themselves, I went with some Anxiety with the said Chiefs to the said small spring where the said Camp was stationed, and the sergeant major of the El Paso company told me that in the course of the said day he had been engaged with the soldiers in clearing it out so that the little spring should yield some water to-night; on this news I gave an order and commanded the said Captains and sergeant major that they should be at the spring Wednesday morning and the number should be limited so that only the pack [?] animals [bestias de las reguas] and horses should drink that the soldiers had to saddle for the departure from this said place, and the march to the first watering place that might be

SAID GOVR. & CAPT. GENL. GOES ON TO SLEEP AT THE SAID SPRING WHICH IN THE COURSE OF THIS SAID DAY THE SERGEANT AND SOLDIERS HAD RAPAIRED & CLEANED OUT AS MUCH AS HE COULD

ORDER GIVEN BY SAID GOVR. & CAPT. GENL. TO THE COMMANDERS OF THE SAID CAMP

found on the road to the Village of the Zuñi Province; in witness of said order I sign this with the said Captains the sergeant major and ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan Paez Hurtado
Roque Madrid
Juan de Dios Luzero y Godoy

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Wednesday, the fifth of the present month of november, as dated, I, the said Govr. & Captain Genl., arrived with the said Force at this watering place and point of the river which descends from the source [of the river] of the nativity which is on the south, coming by the road leading to the said Village of Zuñi; in witness whereof and of its being a march of five leagues I sign this with the said Captain Ensign of the Post and my civil & military secy.

ARRIVAL AT THE WATERING PLACE OF THE RIVER OF THE NATIVITY

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Thursday the sixth of the present month of november, as dated, I, said Govr. & Capt. Genl., came to this watering place at the source of the nativity with the said force which march is two or three Leagues; in witness whereof, I sign this with the said Captain ensign and my civil & military secretary.

ARRIVAL AT THE SOURCE OF THE NATIVITY

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Friday the seventh of the present month of november, as

dated, I, the said Govr. & Capt. Genl., being distant twenty five Leagues from the Province of Zuñi, at this point, in order that its inhabitants should have news of my coming and being on the way to see them, ordered the Indian half breed Ventura, a native of the said tribe, to go there with my letter for the Captains and inhabitants, that in sign of Peace it should be given, carrying the Holy Cross as the sign denoted in it, and therefore I put the rosary around his neck and, giving him necessary provision of a good mule and food, gave him likewise full Instructions to make them understand my Benevolence and that they should not desert their houses and leave their Village except to come all together to meet me and many other arguments I told him which, being understood, he took leave of me pursuing his journey; and in witness of my sending him on this business I sign this with the said captain ensign and my civil & military secretary.

SAID GOVR. & CAPT. GENL. SENDS THE SAID INDIAN VENTURA THE WOLF & GIVES HIM PROVISIONS SO THAT HE MAY CARRY THE LETTER ANNOUNCING HIS COMING TO THE NATIVES OF ZUÑI

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day Friday, the seventh of the present month of november, as dated, I, the said Govr. & Capt. Genl., arrived with the said Force at this watering-place which they call little rocks and it being late and no water supply nearer than el morro and the Journey being a distance of fourteen to fifteen Leagues I halted at this place; in witness whereof I sign with the said Captain ensign of the post and my civil & military secretary.

ARRIVAL AT THIS WATERING-PLACE OF LITTLE ROCKS

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day Saturday, the eighth of the present month, as dated, I, the

said Govr. & Captain General, arrived with the said Force at this region of el morro which is a large rock very high and broad, at the foot of which there is a cavity, like an Orange, and in it water may be collected if there is any; there is no certainty of finding it supplied with water but God be praised at present there is great abundance so that the said Force and the horses and mules and stock were relieved so that there remained enough for the return; God be praised! in witness whereof, I sign this with the said Captain Ensign of the post and my civil & military secretary.

ARRIVAL AT THIS WATERING PLACE OF EL MORRO

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Sunday, after hearing mass, the ninth of the present month of november, as dated, notwithstanding the continuance of bad weather, I, the said Govr. & Captain Genl., set out from this said watering place of el morro and reached the one called the little spring [ojitto] of Zuñi with my said Force which march was six long leagues; in witness whereof I sign this with the said Captain ensign of the post and my civil & military secy.

ARRIVAL AT THIS WATERING PLACE OF THE LITTLE SPRING OF ZUÑI

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This said day, Sunday, it being about four in the afternoon, there came to this said neighborhood and little spring of Zuñi ten or twelve Indians on horseback and two on foot of the said Zuñi tribe and presented themselves before me the said Govr. and Captain General, whom I received with all kindness, and, through an educated Indian of said Camp and a native of said tribe, I questioned them again and again and they replied that because of my said Letter which I sent them by the said Indian half

ARRIVAL OF THE CAPTAINS AND SOME CHIEF INDIANS OF THE ZUÑIS — SENT TO MEET ME BY SAID NATIVES

breed Ventura and which they received they had come to see me and bid me welcome on the part of the chiefs, Old Men and inhabitants of the said Province of Zuñi, and that they were all much pleased and satisfied, and an Educated Indian among them, called Alonso, repeated likewise what the aforesaid interpreter said or interpreted; they also brought me a present of a slaughtered sheep, some watermelons and cakes, and they spent that night with my people in the said Camp well satisfied; in witness whereof I sign this with the said Captain ensign of the post and my civil & military secretary —

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Monday, tenth of the present month of november, as dated, I, the said Govr. & Captain Genl., with the said Force, came in sight of the great rock on which at the present time the natives of the Zuñi tribe are living [which is] the present village and the above mentioned Indians who had come to bid me welcome having accompanied me and I, wishing to go on and halt at the Old Village, they told me they had not caught all the foxes there nor was there wood enough at that place; that on the plain where we were there was on one side or the other pasturage and water for the horses and wood for my people; in order to please them I halted, establishing on it the said Force; they likewise told me that they were going to advise and order their people to improve the way up to said rock and I told them in order that they might have time that I would set Tuesday morning God willing to go up to their said Village; in witness whereof, and of the said march having been four or five Leagues, I sign this with the said captain ensign of the post and my civil & military secretary —

ARRIVAL IN SIGHT OF THE ROCK ON TOP OF WHICH THE INHABITANTS OF THE VILLAGES OF ZUÑI HAD ESTABLISHED THEMSELVES HAVING ABANDONED THOSE THEY HAD

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day, Tuesday, the eleventh of the present month of november, as dated, at daybreak, the ensign of the Post of El Paso, and shortly after the Captain of the said Company too notified me, the said Govr. and Captain Genl., that last night the clever and unfriendly apache had got in, aided by the dark night and the storm, to the place where the cattle were and separated a small part of them; the squadron of cavalry stationed in the same region and those who were guarding the said stock not having heard the said enemy and so he profited by the chance of a favorable moment, carrying off sixteen head of them, and on account of the bad weather and the great fatigue of the horses, and not to risk a failure in pursuing the enemy to punish his boldness, it was considered Proper for these said reasons and motives not to follow up said affair, reserving it, if God will, until the return to that part of the country to do it at their dwelling places, the said apaches being of the faraones; in witness whereof, I sign this with the said Captain ensign of the Post and my civil & military secretary —

NOTICE OF THE APACHES HAVING GOT IN AMONG THE CATTLE MONDAY NIGHT AND CARRIED OFF 16 HEAD

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

This said day, Tuesday, the eleventh of the present month of november, as dated, I, the said Govr. & Capt. General, to mount to the said rock and enter the Village that the inhabitants of the Villages of the Zuñi tribe maintain on its top, ordered the Captains of the two Companies to make ready five squadrons and with their Chiefs and officers armed and mounted, and I, the said Govr. and Captain Genl., being on horseback with my said civil & military secy., ordered the lieutenant of cavalry and the Chiefs to march the said force in four files, and in said Order I reached the said Rock, its front being crowded with the multitude of the said Village, and the way up being so difficult and long, I was forced, on account of its bad places, to mount it on foot and, although it cost considerable effort, I succeeded, and I, the said Governor, with the said following, being up there, saw

ENTRY INTO THE VILLAGE OF THE ZUÑI TRIBE SITUATED ON SAID ROCK

the said table land to be very broad and spacious, extending apparently two Leagues, and I mounted my horse to go on and enter the said Village where the natives received me with all its inhabitants whom I saw to be numerous; and, having dismounted, I saluted them all, giving them Greeting and all the said multitude came up to embrace me and shake hands and I received them with all kindness and talked to them, and being in their Square which contains three estufas, I ordered first that a great Cross be placed in it and afterwards, through an Interpreter, who was the said Indian who had interpreted [before], a native of the said tribe, I ordered the Captains and Old Men to call together all the said people and bring the children and boys they had to be Baptized, and they being gathered, I told them of my coming and all the other things that I had sent the said Indian half breed Ventura to say to them and that the King our Master was lord of that rock, their Village, and all that land and Province, and that they and everybody were his Vassals, and I claimed in the usual form as in the other Villages the said Possession pronounced in favor of his Majesty and after I had asked the Rev. Father fray francisco Corvera, assisted by the Rev. Father fray Christobal Alonso Barrosso, to absolve them, which they did, and having received the said absolution they baptized them and I was godfather to a son of their Captain and Governor, whom they obey, and to many others, as were likewise the said soldiers; those Baptized of all ages, male and female, having been two hundred and ninety four and after which the said Govr., my fellow Godfather, and the captains asked me to mount further and in a room on the second floor and a balcony I entered and found an altar with two large curtains burned by wax candles and retaining some bits of ornament with which the following articles of public worship were covered;

THOSE BAPTIZED ARE 294 PERSONS MEN AND WOMEN OF ALL AGES

First, two effigies of Christ our Saviour in bronze (baxcado [?] colorel [?]) each a little more than a span in height on crosses of wood . . .

CHURCH ORNAMENTS FOR DIVINE WORSHIP WHICH THEY SHOW

Further another effigy of Christ our Saviour on a Cross of wood with St. francis of the Capuchins at his feet, likewise painted, the height of the said Cross two short handbreadths . . .

Likewise a painting of St. John the Baptist, three quarter length, on Linen in oils . . .

Further a silver gilt Relinquary and the glass [round pieces in the centre which contain the Host] made of rock cristal . . .

Further three Chalices of wrought silver, two of them with patens and cups, gilded on the inside . . .

Further another large Chalice, all gilt enamelled on the cup and its foot with its paten . . .

Further a missal, very well executed, not of the most modern . . .

Further a Book of offices of Holy Week bound . . .

LIST OF VARIOUS BOOKS

Further another Book entitled favors of the King of heaven shown to be his bride St. Juana of the cross. . .

Further another Book entitled second part of the Historic Journey in which is treated the Life of Christ . . .

Further another Book entitled the Books of Mother St. Theresa of Jesus . . .

Further another Book entitled History ecclesiastical, political, natural and moral . . .

Further another Book entitled manual of the administration of the Sacraments to the Spaniards and the natives of New Spain . . .

Further another Book entitled Spiritual instruction for him who enters and professes religion . . .

Further another Book without parchment cover [?] and lacking some pages entitled meditations on the love of God . . .

Further another Book entitled on the first leaf and lacks any more first part of the coming of Christ his Life and miracles . . .

Further another Book entitled manual of the administration of the Holy Sacraments to the natives and Spaniards of this New Spain . .

Further another Book entitled Full exposition of Christian Doctrine Compiled by the Order of the Most Holy Father demte octavo [?] . . .

Further another Book entitled directorium Curatorum instruction of Pastors Useful and necessary to those who have the Charge of souls . . .

Further another Book entitled Confessional in the Mexican and Castilian language . . .

Further another Book lacking pages at the beginning and end entitled declaration of the Christian Doctrine . .

Further another Book entitled mementoes of the Mass . . .

Further another Book entitled works of quevedo . . .

Further two brass Candlesticks . . .

CANDLESTICKS AND BELLS Further two Bells without clappers

. . .

Further a tiny little Bell . . .

Further there was another book of Sunday and advent unbound

. . .

Said church ornaments, as was said, and the books are in said room which the Captains Juan Stephen and Ventura brought to me of their own will, whom I embraced warmly and thanked them much and promised to favor them which I did with all my Heart; I and my followers belonging to my Company being very much touched to have restored the said effigies of Jesus Christ and the sacred vessels, deeming the risks and labors suffered in that Journey well expended, &, in order that the said natives should be satisfied that my removing the said sacred objects and carrying them away with me was not from any lack of confidence in them, I told them I was taking them in order that the Father Custodian at El Paso del Norte might reconsecrate them, and I left the said two large Bells, and that when God pleased I would return in Company with the Father that his Majesty the King our master would tell him to return, and bring the said sacred objects for the church, and that he ordered them to build a convent for the said Father and with these reasons they were much pleased and contented; and they asked me to go and eat what they had provided for me which I did in Company with the said Reverend Missionary Fathers, all astonished at having found said conduct in the said Indians such as we had not experienced in any of the Villages of said kingdom, since they all (the others) said that they had lost and destroyed it [meaning the church equipment?] or the apaches had stolen it; at sunset I arrived from said Rock at the place selected as a Royal parade ground of my said Force, having covered, in going and coming, three Leagues; and, in witness of said entry and the aforesaid surrender and conquest of the natives to our holy faith and the Royal Crown, I sign this with the said military commanders and officers and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Martin de Aldar [?]
Juan Paez Hurtado
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

SAMUEL GORMAN

SAMUEL GORMAN was born in Stark county, Ohio, near the present village of Magnolia, May 18, 1816, and went to his heavenly home February 8, 1908, at the ripe age of ninety-one years, eight months, and twenty days. His mother died when he was five years old. His father was an itinerant carpenter. After his mother's death he was bound out to Captain James Downing, a respectable farmer, who had served with some distinction under General Harrison in the War of 1812; and thus he was separated from his family at an early age. He knew little of his ancestry. His paternal grandfather came from North Ireland, with several of his brothers, when a young man, and settled near Philadelphia, Pennsylvania, where Mr. Gorman's father was born. His maternal grandfather lived to a very great age.

Captain Downing and his wife were extremely severe in their discipline of the young boy. Hazel brush was in abundance close to the house and in those early years he was well informed of the fact day after day. Punishment was often administered when he did not deserve it. His educational advantages were very meager indeed. He was only permitted to attend the district school a very few weeks during the winter season. His guardian only allowed him one suit of clothes and one pair of shoes a year. Usually, when the spring season came on, his shoes were worn out and then he had to do without. Mr. and Mrs. Downing gave him no religious training. He had no advantages of Sunday school or church.

At the age of sixteen he became greatly concerned about his relation to God and his soul's eternal welfare. He longed for some one to talk to him and tell him the way of life and salvation. He invested all the money he possessed in a small New Testament and was severely reprimanded by his guardianess for spending his money so foolishly. He read his Testament

all he had time to, but had to keep it hidden away and read it secretly. He longed for religious literature or something that would give him some light. He became very much discouraged and felt that no man cared for his soul. In his distress and anxiety he ventured one day to ask permission of Mrs. Downing to go to a minister to get some instruction and help, but, in response to his request, he received only some unkind words of reproof. He was then eighteen years of age. Meeting with such strong opposition, he was almost on the eve of despair, but his anxiety was so great that he could not give up. At last he ventured to ask Mr. Brown, a Baptist minister, for a book of Baptist discipline, hoping that it might be some help to him. Mr. Brown told him the Baptists had no "Discipline," only the New Testament; but if he would call at his house, he would let him have a book that he thought would help him. He availed himself of the first opportunity and called for the book. But, alas! what a book it was to put into the hands of an ignorant boy, who at that time could scarcely read in the third reader at school! It was Dr. Gill's "Body of Divinity," fit only for an advanced theologian. Still he felt he got some help from it, illy adapted as it was. It was a work of 650 pages. It took him a year or more to read it through because he was not allowed a candle at night to read by and, in daytime, he had to work. Even on Sunday he had so many chores to do that there was little time for reading. He had to keep the book hid away in some secluded place and steal his chances to get a moment to read. Many times he would not have time to read a dozen lines before he would hear the call to go to work. Then he would drop the book and run, or the rod would be over his shoulders.

Finally, at the end of three years, struggling in the dark and wading thus in deep waters, he asked permission to go four and a half miles to hear Mr. Brown, the Baptist minister, preach. Permission was granted. He walked there with a light step, hoping to receive some light on the subject that was perplexing him so greatly. Again he was disappointed, as Mr. Brown did not come, but over the way a Presbyterian min-

ister was to preach. The service had begun when he stole in and dropped into the first seat behind the door. The minister preached on the parable of the ten virgins. He listened as for his life. The light broke into his soul. He saw the perplexing subject clearly unfolded. It resolved itself into just this simple sentence: "God is the supreme ruler of the Universe. He created me to serve Him, and trust Him, and He will take care of all the rest." The burden was gone. His soul was at rest. All at once there came a longing to tell some one of the joy and peace that filled his heart. He went home, feeling that he was one of the happiest boys in Stark county. As soon as opportunity offered he went to see Mr. Brown and told him his experience, to which Mr. Brown replied, "I have known for three years that you were seeking the right way." Then he asked Mr. Brown why he didn't talk to him and help him find the right way. "Oh," said he, "I can preach in the pulpit, but I can't preach out of it." During his long ministerial life he has often been heard to say that Mr. Brown's reply was a lesson to him, to be able to preach out of the pulpit as well as in it, to seek out enquirers and help them to find the way they are so earnestly seeking. He united with the village Baptist church and was baptized November 1, 1835. During the long struggle he passed through in seeking Christ, his mind was greatly exercised in regard to missions and the ministry.

Soon after his baptism he felt convinced that the Lord was calling him to preach the Gospel and that it was his duty to prepare for the ministry. In 1836 he attended an Association, and there learned of Granville College. He was told there was a manual training department there where students were helped to educate themselves for the ministry. He became of age May 18, 1837. Mr. Downing gave him fifty dollars and a very cheap suit of clothes for his sixteen years of drudgery. When he went to Mr. Downing's there were thirty acres cleared, and when he became of age there were 130 acres cleared and he well knew how it came about. The fall after he was of age, he put out wheat on Mr. Downing's farm on

shares. Soon after this, hungering for knowledge and with a burning desire to be prepared to preach the Gospel, he started for Granville, Ohio, with fifty-seven dollars in his pocket. He went with a neighbor young man named Enoch Ross. They arrived at Granville November 10, 1837, only to find that the manual training department of the institution had been abolished. This was a very great disappointment to him.

The students urged him to start in on a full course of study and continue as far as he could. With the strong will that characterized his whole life, he began his work, not expecting that he would be able to keep it up more than two years. At the end of the first term, in March, he went back to his old home to make arrangements to have his crop of wheat taken care of in his absence when harvest came on. The night before he started the snow began to fall and before he had walked half way it was knee deep. When he returned to Granville he walked back the hundred miles through the mud. On his arrival at Granville again, he, with three other young men of like fibre, all struggling with poverty, rented a room in a log hut. The room was not plastered. They made beds of rails, corn husks and straw and many cold nights of that first hard winter they were compelled to sleep in their clothing to keep warm. They also made their table and some chairs. They bought two dollars' worth of middlings (wheat very coarsely ground), which would last them a month; so that their board cost them twelve and a half cents a week, or less than one cent a meal. They mixed the middlings with water and a little salt, put it in a skillet and baked it. When it was done they broke off a piece, ate it, took a drink of water and went to studying again. They cut and carried in their arms a distance of two miles most of the wood they burned. They denied themselves everything but barely enough to maintain life. Mr. Gorman worked on the farm, then connected with the college, mornings and evenings and Saturdays at six cents an hour. Mr. Downing, his former guardian, harvested the crop of wheat which has been referred to, and sold it to a merchant who failed before it was paid for, and so Mr. Gorman lost all of that which he

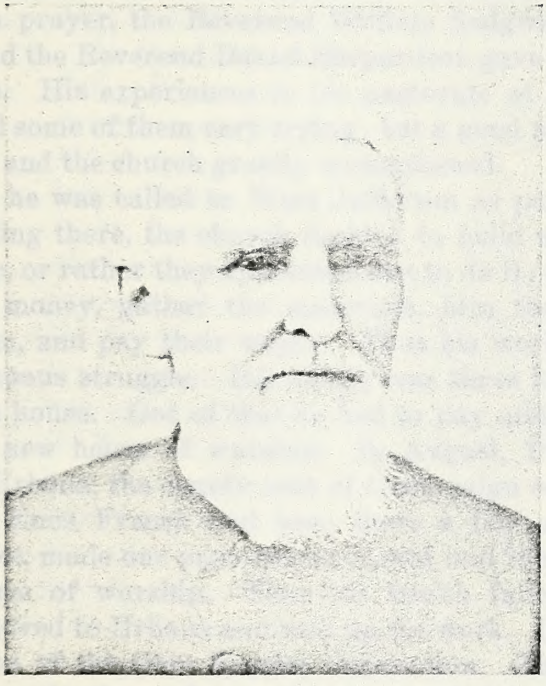
had looked forward to as a great help to him financially. This was another crushing disappointment to him in his college life.

The next fall he obtained the janitorship of the college building at a salary of $18 per year. He bought a watch for seven dollars so that he would know when to ring the college bell and applied the remaining eleven dollars on his tuition. The third year of his college life he received fifty dollars from the Ohio Baptist Education Society and the fourth year was appointed instructor in vocal music at the college, receiving as compensation his room rent. At the end of four and a half years of student life, and just on the eve of finishing his course and receiving his coveted diploma, his health became very seriously impaired, caused no doubt by his abstemious living and the strenuous efforts he made to pursue his studies. His physician ordered him to leave college, telling him he could not live six months. This was another disappointment to him, for his heart was set on finishing his college course and graduating.

At this point in his life occurred an instance of real dramatic interest and worthy of remembrance. A young lady for whom he had formed a strong attachment, Miss Catharine E. Turner, a teacher in the public school of Granville, declared that if he was only to live six months, as the doctor had said, she was ready to have their wedding take place, that she might have the privilege of taking care of him those six months. So they were united in marriage by the Reverend Henry Carr, on February 24, 1842, the ceremony taking place in the public school building in the presence of the bride's pupils.

Soon after this the couple went to Keene, Coshocton county, Ohio, where Mr. Gorman took the pastorate of the little Baptist church at that place. His wife took a school to supplement his small salary. Soon after going to Keene he was prostrated with fever for several weeks with little hope of recovery; but with medical attention, and the nursing of his faithful wife, his life was spared. It was this devotion and his robust constitution, the result of sixteen years of hard toil on the farm, that saved him for a long life of wonderful use-

313 d



REVEREND SAMUEL GORMAN



fulness. In the course of a year health and strength were restored. The happy college days at Granville, however, were at an end.

On May 24, 1842, the church at Keene called a council, and he was ordained a Baptist minister. Dr. Jonathan Going, who was moderator, preached the ordination sermon on the text, 1st Cor. 4:2: "It is required in stewards that a man be found faithful." The Reverend J. M. Courtney offered the ordination prayer, the Reverend William Sedgwick gave the charge, and the Reverend Daniel Shepardson gave the hand of fellowship. His experiences in his pastorate at Keene were varied and some of them very trying; but a good number were converted and the church greatly strengthened.

In 1843 he was called to West Jefferson as pastor. Soon after settling there, the church decided to build a new house of worship, or rather they appointed him to do it; so he had to raise the money, gather the materials, hire the workmen, board them, and pay their wages. Thus his work there was one continuous struggle. His salary was three hundred dollars and a house. Out of that he had to pay quite a sum toward the new house of worship. In August, 1845, he was called to Urbana, the county seat of Champaign county. The Reverend Enos French had been there a few months, had bought a lot, made one payment on it, and laid the foundation for a house of worship. Then his health failed. So Mr. Gorman moved to Urbana and took up the work. It was a mission station of the Ohio Baptist Convention. There was no church organization. Soon after he settled in Urbana he commenced a protracted meeting. The spirit of the Lord came upon the people. Crowds attended the services and they soon had to secure a larger room. Baptisms followed quite frequently. The next spring a church was organized of forty-three members. In July they began to build the meeting house, but found it a fearful struggle. Money was scarce and Mr. Gorman's salary was so slow in coming, that at times they almost suffered for the necessities of life. One day his wife had to go to the neighbors to cook the last food they had in the

house, because they had no fuel to cook it with. The building of the house of worship was a tedious, trying task. He worked with his own hands at all the different kinds of labor, even to mixing and carrying the mortar. During this time he not only did an unusual amount of preaching but lectured in different parts of the country on education, trying to arouse public sentiment along that line. Finally the house was completed. With a growing and interesting congregation, he felt that he had accomplished a good work.

In the midst of these toils and cares his strength began to fail. He could not sleep and seemed to be on the eve of nervous prostration. His physician said he must give up his work entirely, for awhile at least. When he was about to leave Urbana, an invitation came to him from Covington, Kentucky, to take charge of the boarding hall of the Baptist Theological Seminary at that place. He had always been anxious for more education and this seemed to be a providential opening for him. So he went and, after he had rallied sufficiently from his exhausted condition, he entered the seminary. He was able to attend the lectures of Dr. Robert Pattison, Dr. E. G. Robinson, and Professor Drury. This proved to be the best year of study he ever enjoyed. The first six months he was there he was not able to preach at all, but after that he was able to supply churches. At the close of the seminary year the school was broken up over the slavery question.

Early in September, Lane Seminary at Walnut Hills opened its school year. Dr. Lyman Beecher was president. Mr. Gorman went thither to continue his study of theology. He attended Lane Seminary seven weeks.

One afternoon in October, 1848, as he was walking home through Cincinnati, he met the Reverend Frederick Snyder, pastor of the First church in Dayton, Ohio, who said he was sent down to engage him to go to Dayton and take charge of a mission of the First church in that city. At first he remonstrated earnestly and said he was very anxious to continue his studies in the seminary and complete his course, but Mr. Snyder insisted, saying that he was told not to come back with no

for an answer. So, finally, Mr. Gorman consented to go, feeling it was a call of the Lord. In about three weeks they left Cincinnati by packet boat on the canal, there being no other way to travel. They promised to get to Dayton by Saturday evening; but it was Sunday morning at nine o'clock when they arrived. Soon after his arrival he found Mr. Snyder had made an appointment for him to preach in the afternoon at the old Dunkard church, corner of Van Buren and Jackson streets. The First church people came over and his house was full. He preached from the text, "In the name of our God we will set up our banners." When they left the building after that service the doors were locked and they were not allowed to hold another there. Then they went to a room upstairs over the old engine house, corner of Sixth and Tecumseh streets. They had not been there long until a revival broke out. He baptized about thirty that winter. The next March, in 1849, he organized a church of about fifty members, and at once began to plan for the building of a house of worship at the corner of Wayne avenue and Fifth street. One cold day in March he broke ground with his own hands for the foundation and from that time on he spared not his own strength in gathering means and material and in managing the work.

Soon after they began to work on the meeting house, the cholera broke out in a very malignant form. He was the only minister in that part of the city to visit the sick. Over three hundred died. Some whole families were stricken and died and for seven weeks he went from morning till night caring for the sick and burying the dead. In some instances there was no one to assist the undertaker but himself. The next two winters they had glorious revivals. He baptized in all ninety-eight. Among them were two young men, David E. Halteman and Shadrach Washington. Soon after their baptism these young men felt a great desire to obtain an education and prepare for the ministry. So Mr. Gorman hired a conveyance and took them to Granville, where they entered college. They afterwards became influential ministers of the Gospel and occupied places of responsibility. Mr. Halteman was general

missionary in Wisconsin for ten years previous to his death. The building of the house of worship was a long, hard struggle. Mr. Gorman's salary was but $300. As in other places, his wife had to teach school in order to keep the family comfortable, and have something to contribute toward the new house of worship. Finally the exterior was completed and the basement finished ready for occupancy. The church membership was then 150.

While pastor in Dayton he held protracted meetings with success in Xenia, Franklin, and Middleton.

In the spring of 1852 he received an appointment by the American Baptist Home Mission Society to go as a missionary to New Mexico. On June 14th he left Dayton with his family and started on their long, tedious journey. They were detained in Cincinnati seventeen days getting their outfit in readiness. Then they went by boat down the Ohio and up the Mississippi to St. Louis; then up the Missouri to Independence Landing, where the wagon trains were made up for crossing the plains. Independence Landing is now Kansas City. At that time it consisted of two warehouses and three or four shanties. He had to care for his own team and drive it usually in the rear of the train; but if there was danger of being attacked by Indians, the leader would order him to drive in the middle of the train for safety. After they had been out a few days they came to a herd of buffalo. They were two and one-half days passing through the herd.

When they reached the crossing of the Arkansas river at Dodge City, they found about ten thousand Comanches and Kiowa Indians camping there. They arrived there Sabbath morning and went into camp till Monday morning. The Indians came about their camp in hundreds. The leader of the train ordered Mr. Gorman's carriage closed so that not a head could be seen, as it was not safe for it to be known that there was a woman in the company. So his wife and children had to sit there all day long without air and in the broiling sun. Monday morning they began crossing the river. The Indians came about them like flies about a sugar cask. Mr. Caruthers,

the leader of the train, told the Indians that a great army of soldiers was coming (at that time, he did not know there was a soldier nearer than Jefferson Barracks in Missouri). But, true enough, in a short time they could see the glittering of muskets in the distance and a company of soldiers soon came up, escorting a paymaster to New Mexico. In a very short time every Indian was out of sight and they saw them no more. He said, "We never were more delighted at seeing soldiers than we were to see that detachment and have always felt that God saved us, by those soldiers coming just when they did, from being destroyed by that merciless crew of the desert." When they approached the first settlement of New Mexico, they came suddenly to the top of a hill and saw some Mexican houses at its foot. One of the party exclaimed: "There are some brick kilns." A Mexican house looked very much like a brick kiln. The matter was soon explained. The Mexicans themselves were about as much of a curiosity as their houses. At Las Vegas they separated from the wagon train, as it was bound for Old Mexico. They had been twelve weeks crossing the plains from Kansas City, Missouri, to Las Vegas, New Mexico. They found two American families in the village. Here Mrs. Gorman was sick for four days, the first illness the family had after leaving Dayton, Ohio. At Las Vegas they were met by the Reverend H. W. Read, who piloted them to Santa Fe and entertained them until it was decided where they had better locate. The way seemed to open for them at Laguna, an Indian pueblo, one hundred and twenty-five miles southwest of Santa Fe, on the military road from Alburquerque to Fort Defiance. They found an escort going out to that fort and went with them, as it was not safe in those days for a family to go alone.

They arrived at Laguna October 5th, having been on the way from Dayton, Ohio, since June 14th. The following is taken from his diary:

October 5, 1852. This day is one of the most important of my life, for I am now on the ground of my future labor, among the people long enshrouded in the darkness of heathenism. Nearly four months have

we been wending our way to this place. We now occupy ground never before occupied by a Protestant missionary. We hope and pray that our mission will be lasting and eternal blessing to the Pueblos not only of Laguna, but of other places.

They fortunately found an empty house which had been occupied by a company of dragoons a few months before, and were permitted to enter that place for shelter. But they had not a chair, bedstead, or table, or even a stool to sit on, and no mechanic to make them or money to pay for the work. They felt indeed as strangers in a strange land and as pilgrims and sojourners in that wild, destitute part of the earth. At the same time they realized that the Indians were not very safe people to live among. Mr. Gorman had anticipated their wants to some extent and had taken with him ninety feet of lumber from Alburquerque. With that, together with some old lumber the soldiers had left, he constructed bedsteads, tables, chairs, and also benches for his school room. He had one saw, two planes, one screw driver, an auger, axe, and hammer. These were all the tools he had to work with. It took him about six weeks of hard work to make the furniture that seemed necessary. In the meantime their supply of provisions was exhausted. He had no money and was forty-five miles from any market. One day his wife took a quart of corn to the Indians to get it ground. They asked her a dollar to grind it. She became so discouraged she sat down on a rock and wept; then went home and made it into hominy. They sold their underclothes and parted with everything they could for something to eat, until they were almost destitute. They had to go to the mountains, a distance of a mile and a half, and bring fuel in their arms with which to cook their scanty meals. They learned afterward that the Roman Catholic priests and the leaders of sun-worship were very hostile to them and their work. They told the people not to sell them anything but to starve them out, which they came very near doing. For a long time they had only corn bread, with corn meal gravy and a little salt in it, and some tea.

Mr. Gorman fitted up a school room and tried to get the

children into the school, but found it very slow work. He studied very hard to acquire the Spanish language, but had no teacher. All the help he had was a Spanish grammar. After close application for some six weeks he was able to master it sufficiently to begin to preach in Spanish. They made many efforts to establish a school. Sometimes a number of pupils would come and seemed really anxious to learn. Then the governor of the pueblo would order them to stop and not have anything to do with the Gormans in any shape or form. This made it very discouraging, but some of the families began to realize the benefit of the school and continued to send their children regardless of what the governor said. There were periods when the way looked very dark. They had to endure so many hardships, trials, and difficulties that they felt at times it was beyond endurance to remain in the pueblo, but they talked it over and concluded that if it was within the bounds of possibility by sacrifice and toil to enlighten and Christianize the Indians, they would stay and do their best. After they had been there about nine months, Captain Henry L. Dodge came, called a council, made a speech an hour long, and succeeded in having them adopted into the Indian community. This gave them permission to remain and enjoy the rights and privileges of the reservation. They then went to work to build them a home. As the Indian houses were so filthy and infested with vermin, they selected a building place a little out of the village. They built an adobe house of fourteen rooms and had use for them all. The timbers were brought from the mountains by the natives, but Mr. Gorman did all the carpenter work himself with poor material and few tools. He made twenty doors and twenty windows. The glass had to be brought one hundred and twenty-five miles on animals and by the time it arrived was about half broken. He worked some nights till one and two o'clock in the morning.

After they were adopted into the pueblo, they had no trouble in obtaining the necessities of life. Captain Dodge advised Mr. Gorman to start a store, and try to get the Indian children clothed. Up to this time they were running around the streets

almost void of any clothing. So he sent to Alburquerque and got a lot of goods of all kinds. This seemed to give them access to the people. They would come and buy goods and often he would take their corn in exchange for the goods. This gave them a chance for missionary work. Gradually he gained the confidence of the people and the work of teaching them about Jesus Christ began. After he was ejected from the Catholic church building he began to preach in the placita, an open square in the village, sometimes the wind blowing a cloud of dust and dirt till he could scarcely breathe. He often had two and three hundred Indians to hear him preach.

Not long after settling in Laguna one José Sanon was introduced to him by Captain Dodge as an honest man and one that could read a little. He gave him a Spanish Bible in which he became greatly interested, but it was two years before he changed his religious views and was baptized. When Mr. Gorman preached in Spanish, he would stand by him and interpret it into the Indian language. This he did for six years, and was a very great help in many ways. In May, 1854, a missionary meeting was held in Laguna at which time Mr. Gorman's daughter, Mary, was received as a candidate for baptism and was baptized by her father the following Sabbath in the presence of several hundred Indians, being the first one they had ever seen baptized. She was then ten and a half years old. When she was thirteen and a half, they were obliged to send her to Hamilton, New York, to be educated. When he had been in Laguna five years a friend in the States sent him six hundred dollars to help build a meeting house, but in order to buy a lot and build a house, he had to supplement that by three or four hundred dollars out of his own salary. By putting in plenty of hard work himself he succeeded in building a good, substantial stone church which was used for both school and church purposes. In 1856 he baptized Blas Chaves, the first Mexican convert ever baptized in the Territory. He was a leader among the Mexicans and for some years seemed hostile to the missionary and his work, but after his conversion he was a great help. He soon began work

among his own people and for many years was a faithful minister of the Gospel among the Mexicans, until he was called to his reward in 1907. During these years which Mr. Gorman spent at Laguna, he rode thousands of miles on horseback, through that wild Indian country, amid dangers seen and unseen, distributing Bibles and Testaments and preaching the Gospel wherever there was an opportunity, holding prayer-meetings, and talking to men and women about their spiritual welfare.

After they had been in Laguna six and a half years it seemed necessary to make a change for the sake of his family, especially his wife. She had been confined to the dull monotonous life all that time without any change or relief, never having been away from the village but three times, and only once more than a day at a time. One whole year she never saw but one white woman, who was the wife of a soldier. The Home Mission Board ordered them about that time to go to Santa Fe, to take charge of the mission and school at that place. On February 23, 1859, he preached his last sermon in Laguna. The house and yard were crowded with Indians and Mexicans and scarcely a dry face could be seen in the crowd. They wept as if their hearts would break, which was evidence of the strong hold he had upon the people.

They arrived in Santa Fe March 1, 1859, and at once began work. Santa Fe was the capital of the Territory and at that time was headquarters of its military forces. He had the only Protestant congregation in the Territory, made up of people of all classes. The civil officers and some of the military officers and their families were regular attendants upon the services. Congregations were good and attentive. Here he organized a church and also gathered a school of sixty pupils of all ages, from five to twenty-five, requiring a great many recitations a day. Then at night he had three classes in Spanish which made his teaching very laborious. Among the pupils in this school was a young man, W. H. Sloan, to whom he taught the Spanish language. He gave him a Spanish New Testament which in after years was the means in the Lord's

hands of his accepting Christ as his personal Savior. While engaged in his mission work at Santa Fe he had many applications for Bibles. In one instance two men came sixty miles for no other purpose but to get Bibles. He distributed Bibles, Testaments, and tracts all through the country. The Mexicans began to be eager for books and accepted them readily. Many years after, as missionaries of other denominations took up colporteur work, they wrote him that they found many well-thumbed Bibles with his name in them. In many places they found the people so far enlightened that they were ready to accept the terms of the Gospel and they could organize churches in a short time.

After laboring in Santa Fe three years his wife, after a sudden brief illness, succumbed to the hardships and sacrifices. She was called to her reward February 19, 1862, having been a faithful helper to him for twenty years. Then he was left alone with his motherless children. His affliction seemed all the greater, as arrangements had already been made for him and his family to go to the States for a vacation of several months. Not long after his wife's death detachments of the Confederate army came up into New Mexico. All those sympathizing with the North left Santa Fe and went to places of safety. Everything was in a state of confusion and turmoil. Mr. Gorman had to close his school, dispose of his property at a great sacrifice, and hurriedly make ready to start for the States. Seven weeks after the death of his wife, on April 12th, he loaded some of his possessions into his wagons with his motherless little boys, who were sick at the time, and started with his ox teams and several head of oxen extra to resort to in case of emergency. The commander of the Texas army advised him to go by way of Denver to keep out of the Confederate lines. They passed through several tribes of Indians, among them some camps of the Sioux, who about that time were committing massacres on our frontier in Minnesota. It was a long and tedious journey of twelve weeks (that can now be made in thirty-six hours) and especially hard as he was in the depths of sorrow and bereavement. When he reached

Omaha, he sold his oxen and left his wagons for sale, took a ferry boat and crossed the river to Council Bluffs, just ten years from the day they left Cincinnati, Ohio, for New Mexico. From Council Bluffs they went by stage one hundred and fifty miles to the terminus of the Union Pacific railroad at Brookline Centre. From there they took the train for Hamilton, New York, to see his daughter Mary graduate.

Arriving at Hamilton he found himself very weary and exhausted. Madison (now Colgate) University, at Hamilton, conferred upon him the honorary degree of master of arts. After resting and recruiting there for several weeks, he left his children in the care of his daughter, started west in search of a field of labor. On his way he stopped for a few days at Canton, Ohio, the county-seat of his native county, and was unexpectedly urged to accept the pastorate of the Canton church, which had but recently been made vacant by the resignation of the Reverend P. M. Weddell, who had been pastor for seven years. He accepted the call extended him and entered upon his labors September 2, 1862. After being there two months he went back to Hamilton, New York, and on October 30th was united in marriage with Mrs. Clarissa C. Campbell, the widow of the Reverend Harvey M. Campbell, who was a missionary to Burmah. Then he brought the united families to Canton, where they received a very cordial reception. They were soon settled in a pleasant home. The members of the church were kind and loving. He once said: "It indeed seemed like coming home after years of absence in foreign lands." The church prospered under his ministry. They enjoyed three revivals of great power, when many precious souls were born into the Kingdom. One series of special meetings lasted eighty-four days. He preached on an average of one sermon a day, and there was about an equal number of converts, one a day. The church not only increased in numbers but in spiritual power and influence. Along the line of beneficence they became very much interested. Their vision enlarged. Their hearts and purses were open and they contributed liberally to the different benevolent societies. His pastorate covered a

period of seven years, and he often said that he thought he did the best work of his life in Canton. Deacon John Danner says: "He was truly a good man. We never had a truer or more faithful pastor, and everybody loved him."

While he was pastor in Canton, he was the means of organizing a "library club," of which the late President McKinley was an active and interested member. Mr. Gorman was truly a public spirited man, always advocating the cause of education, temperance, and those things that are elevating and have a tendency to better the condition of his fellowmen and the community. When a boy on the farm he adopted very strong temperance convictions. Mr. Downing, his guardian, always had rye whiskey made and barrels of it rolled in the cellar every fall. So the temptation was always around him on the table and in the harvest field. He saw the evil of it and took a decided stand that he would not touch it, although he was laughed at and ridiculed because he would not drink. By the grace of God he was able to ever stand firm and keep his pledge and during his long life he did much to help advance the cause of temperance and the prohibition of the liquor traffic wherever he was.

In the last few months of his pastorate in Canton he was commissioned to raise a subscription for a new house of worship, in which he was quite successful. It is said that it was largely through his efforts and devotion that means for the new building were obtained.

At the close of his pastorate in Canton he was called into the service of Denison University and spent nearly a year in making friends for his alma mater and raising an endowment fund. Among the gifts obtained for Denison during the campaign was one of $12,000 from the late E. E. Barney, of Dayton, and one of $14,000 from the late George Cook, of Canton. During the year he worked for Denison he labored in special meetings in different places.

In May, 1870, he went to Sparta, Wisconsin, and settled as pastor of the Baptist church. In August he moved his family there. In 1872 they had a precious revival in which he was

assisted by the Reverend H. W. Brown. As a result of the meetings he baptized between sixty and seventy converts. He was pastor at Sparta four years.

Then followed a short pastorate at Monroe; then at Columbus and Fall River in the same State. While pastor of those churches, he went to Beaver Dam to assist the Reverend R. E. Manning in a meeting. Soon after going there he fell and broke his arm, but only missed one night. He preached with his arm in a sling. Some came out of curiosity and said that they wished to see and hear a man that wanted to preach badly enough to do so with a broken arm. From Beaver Dam he went into special meetings at Fall River and Columbus. So that for some ten weeks he preached with his arm in a sling. Mr. Manning came and baptized the converts for him. It was a winter of deep spiritual interest, when many precious souls were converted. But the continuous labor and exposure of that winter were too much for his physical strength and brought on nervous prostration, which made it necessary to close his work with those churches.

Then he was called to Mauston, Wisconsin, with the privilege of resting ten weeks until their new church building was completed. By that time he was able to resume pastoral work. He labored there until February, 1880. Then he was recalled to Sparta, where he remained two years and eight months, making in all nearly seven years spent at Sparta. He baptized about one hundred persons during the time.

Near the close of the year 1883, he was again called to New Mexico, to Las Vegas. On January 1, 1884, he was in the field and ready for work. He was soon settled in a pleasant home. The church was very small and constantly changing, as people were moving in and out all the time, which was a very discouraging feature of the work. They had no house of worship, but were holding meetings in an old meat shop so small that it would only hold about fifty people, but it was on a lot that was valuable for business purposes. So they sold it for $1,300 and bought another lot for $800. He was appointed to manage the building of the meeting house. He began with the $500 left

from the sale of the old house and lot. With only a membership of eighteen at that time it seemed like a great undertaking. He found favor with a few business men, who encouraged the effort, and he had faith to believe that in some way the Lord would provide. He employed a skilled foreman and they together kept things moving. He worked from six A. M., to ten P. M., almost every day in the week, and on Sabbath preached twice, superintended the Sunday school, taught a class, and led the singing. He got the foundation of the house laid; then began the woodwork, and in twelve weeks' time the house was completed and ready for dedication. He received from brethren in Dayton, Ohio, $100. An organ also was donated. There was a debt of $700 on the house. He made an appeal to Mr. J. M. Hoyt, of Cleveland, Ohio, who promptly sent to the Home Mission Society the full sum of $700. The auditing committee gave Mr. Gorman credit for $600, which he had contributed out of his own personal means. The church was composed of Americans, but he, no doubt, did more or less work among the Mexicans. He had a large acquaintance in the city and interested himself in all public affairs. Mrs. Gorman was president of the Ladies' Society that looked after strangers who came there for their health. Many of these had just enough money to get there and were in great need. The ladies often secured tickets for them to return home, put up lunches for them, and started them off comfortably. They visited and read to the sick and tried in every way to take the place of relatives to the lonely, sad strangers. So often the change of climate was a mistake and the patient failed rapidly. In various ways Mr. and Mrs. Gorman endeared themselves to the people of Las Vegas.

After a pastorate of three and one half years, he received a commission from the Home Mission Board to go to Aguas Calientes in Old Mexico in order to start a mission and training school. Being a good Spanish scholar he was prepared to take up such work. January 27, 1887, he and his wife, with many tears, bade adieu to the brethren and friends in Las Vegas and started for Mexico. They went to the City of Mex-

ico and visited the Reverend W. H. Sloan and family for twelve days. Then Mr. Sloan came back with them to Aguas Calientes, 388 miles, and helped them to get settled there. Mr. Gorman hired a teacher for the school and, besides that, he started a night school and training school. In the school and in all the services the Bible was their chief text-book. This was a new book to the people, as they had not been allowed to have the Bible. He sent to the American Baptist Publication Society and got a box of Bibles and Testaments to distribute among the people. Many wanted them but feared the Catholic priests, who told them with many threats that they should not accept Bibles from the Protestants, that they were bad books. Many Bibles were burned by the priests. The Reverend Robert Whitaker and wife came into the training school and began the study of Spanish and mission work. They made excellent progress in their studies, so that in a few weeks they could read the Spanish scriptures quite fluently. Mr. Whitaker was a great help in the mission work.

By September they could pray and speak in Spanish quite well. In September a church was organized. Several candidates were received for baptism, but they did not dare go to the river to baptize, as it was against the law. So they had to build a baptistry. Eight young men who were in the night school were desirous of being baptized, but thought best to wait a little and become better prepared. The work was very encouraging. The Lord seemed to crown their efforts with success on every hand.

In the midst of these successes, Mrs. Gorman became sick and all the remedies used did not check her illness. A council of physicians was called and they decided she could not recover in that climate. Her heart was deeply enlisted in the work there and she regretted exceedingly to leave, but a change seemed imperative. When Mr. Gorman left Aguas Calientes he turned the mission over to the Reverend Robert Whitaker. It was a sorrow to him to leave the dear fellow laborers. Quite a company went to the railway station and were very much as those who came to Miletus to bid Paul farewell.

Mr. and Mrs. Gorman moved north to Sparta, Wisconsin, the home of Mrs. Gorman's daughter, Mrs. O. I. Newton. She arrived there in a state of extreme debility. All was done for her that good nursing and medical skill could do, but after a lingering illness of ten weeks, surrounded by her loved ones, whose kindly ministrations were a great comfort to her, she passed to her heavenly home, December 12, 1887. And so the bond of union that proved to be an eminently happy one for twenty-five years was severed.

After the death of his wife, Mr. Gorman went to Mauston, Wisconsin, where he was engaged in colporteur work for several months, distributing Bibles and tracts in needy places. Later on, he was called to the pastorate of the Baptist church at Albert Lea, Minnesota. Accepting the call he began his pastoral work June 1, 1888. There he was greatly interested in the work of the Kingdom and gathered about him many warm friends. A new parsonage was built.

On January 1, 1889, he was united in marriage with Miss Rachel Wilson, of Centerville, Ohio, with whom he lived happily for over nineteen years. The marriage took place at the home of her sister, Mrs. J. C. Hoblit, in Minneapolis, the Reverend W. T. Chase, D. D., pastor of the First Baptist church, Minneapolis, officiating. They immediately went to Albert Lea, where Mr. Gorman had furnished the new parsonage. Here they found a pleasant home. At that time the church was small and some features of the work were very discouraging. They had an interesting Sunday school, of which Mrs. Gorman was chosen superintendent. The school was not large in numbers, but regular in attendance and full of interest. A Woman's Missionary Circle was sustained by the ladies of the church. Here, as elsewhere, Mr. Gorman was active in the cause of temperance. Though he did not see all the results of his labors which he desired, some souls were born into the Kingdom. He had a consciousness of having been faithful in sowing the precious seeds of Gospel truth, a conviction that it would not all be lost but would bring forth fruit in after years. Owing to some discouraging influences brought to bear upon

his work in Albert Lea, after two and a half years of faithful service he resigned as pastor of the church. He and his wife became very much attached to their work and left many warm friends behind them as he went to another field of labor. He was called to the church at Le Roy, Minnesota, and entered upon his work November 1, 1890. Here he found a much larger church than his former charge and much more activity in church work generally. The church was well organized for work. There was an active Young People's Society that did efficient service. Here again Mrs. Gorman was chosen superintendent of the Sunday school and also taught an adult Bible class of young women to whom she became very much attached. There was a faithful band of teachers in the school that rendered excellent service. They were punctual in attendance and efficient in teaching the truths of the Scriptures so that the Sunday school seemed to be one of the most important features of church work. It gave liberally to the different benevolent societies. The Woman's Missionary Circle contributed their part of foreign missions, almost doubling their contribution the second year. They frequently held public meetings on Sabbath evening that were well attended and had a tendency to increase the missionary spirit in the church. During Mr. Gorman's pastorate there were several additions by baptism and also by letter. In the spring of 1892 he had a severe attack of la grippe. The house of worship had to undergo repairs, so the church gave him a rest of a few weeks, after which he resumed his work. But the disease had so depleted his strength that in August following he was compelled to resign as pastor of the church. He closed his labors in Le Roy in September, 1892. It was a source of deep regret and sorrow to leave the work and those dear friends with whom he had labored so harmoniously.

In view of retiring from active work in the ministry and casting about for a place where he could spend his remaining years pleasantly, his thoughts naturally turned to Dayton, Ohio, that being a place of his former labors and near Mrs. Gorman's old home. So they moved from Le Roy, Minnesota,

to Dayton, arriving there the first of October, 1892. After living there a few months, they finally settled in a quiet home on Huffman avenue in the eastern part of the city, near to the Linden avenue church, where they found congenial church fellowship during the fifteen remaining years of Mr. Gorman's life.

For a few years after going to Dayton he was able to supply churches occasionally. He found it pleasant to renew old acquaintance and to meet a number of persons he had baptized when pastor there forty years previously. It was a great trial to him when he could no longer proclaim the precious Gospel he loved so well. But he submitted cheerfully to the Lord's will and his heart was comforted with the thought that he had been spared so many years and that he had sown by the side of so "many waters." As long as health and strength would permit he filled his place in the prayer meeting and the Sabbath services. When the days of permanent disability came he did not lose his interest in things of the spiritual Kingdom. He was a man of many prayers. He appreciated his home comforts and almost daily would thank the Lord for a quiet resting place and for the many blessings with which he was surrounded in his weakness. To the end of his journey he retained that sweet, Christian spirit that was so characteristic of his long and useful life, ever kind, gentle and loving and appreciative of every kindness shown to him. The last few months of his life he talked much of the heavenly home and of the joys that awaited him there, where he would never feel the infirmities of age. He patiently awaited the Lord's own time for his departure. The day came quietly and peacefully and he departed to be with Christ. How appropriate in his case are the inspired words: "Blessed are the dead which die in the Lord: they rest rest from their labors and their works do follow them!"

The funeral services were held at this home in Dayton. Dr. Henry F. Colby, long pastor of the First Baptist church, gave an appreciative sketch of Mr. Gorman's life and labors. Prayer was offered by the Reverend J. W. Icenberger, pastor of the

Central Baptist church, and the hymns, "Asleep in Jesus" and "Sweet By and By," were sung by kind friends. The body was then carried to Centerville, Ohio, where a service was also held. The Reverend Franklin W. Swift, pastor of the Linden Avenue church, there conducted the exercises and the Reverend J. E. Thomas of the North Dayton church made appropriate remarks. The burial was in the cemetery at Centerville.

JOSEPH DE URRUTIA

PLANO DE LA VILLA DE SANTA FEE Capital del Reino del nuebo Mexico situada segun mi observacion en 36 grados, y 10 minutos de latitue boreal y en 262. deg. y 40 de longitud contados desde la Ysla de Tenerife. Joseph de Vrrutia. 54.3 x 42.5 cms. In colors. Undated.

Original in Brit. Mus. Add. Ms. 17.662. Brit. Mus. Cat. date is 18th cent. (End of 18th cent.? W. L.) Can be reduced to ¼ or ⅙. See Lanzas, "Mapas de Mexico y Florida." Nos. 245, 246. Tomo 1.

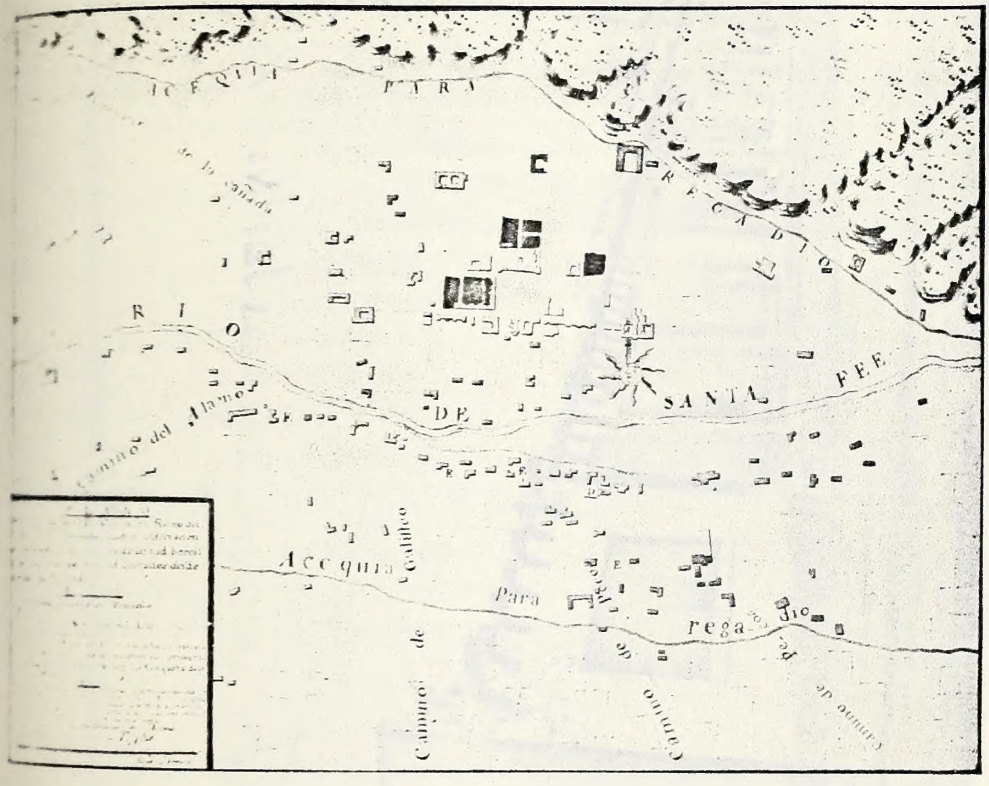
NOTE. In the catalogue of *Additions to the Manuscripts in the British Museum, in the years* 1848-1853, p. 43, is this description which evidently contains all the plans of Urrutia mentioned in titles 506-510:

"Twenty-one coloured maps and plans of towns and various settlements in the North of Mexico with their environs; all, except one, situated in Provincias Internas, By Joseph de Vrrutia. Paper, XVIII cent. Folio." (Add. 17662.) Nos. 245 and 246, referred to in the above title by Torres Lanzas, are entitled: "Plano de la Bahía de la Paz y Puerto de Cortés. . ." and "Plano de la Bahía de San Bernabé en el Cabo de San Lucas. . ." "Por Don Miguel Constanzo y Don Joseph de Urrutia. Con expediente sobre la expedicion hecha á la Sonora por don José de Galvez."

In the monthly magazine entitled *The Land of Sunshine* published in Los Angeles, for June, 1901, pp. 486-496, and July, 1901, pp. 38-47, is a translation of an early account of the State of California of 1769 by don Miguel Costansó, cosmographer, entitled: "*Historical diary of the voyages by sea and land made to the north of the California by order of the most excellent señor marquis de Croix viceroy, governor and captain general of the new Spain and by direction of the most illustrious señor Don Joseph de Galvez.* . ." References to José de Galvez, Marqués de Sonora, who died in 1787, may be found in H. H. Bancroft's *History of Mexico*, v. 3, pp. 367-368.

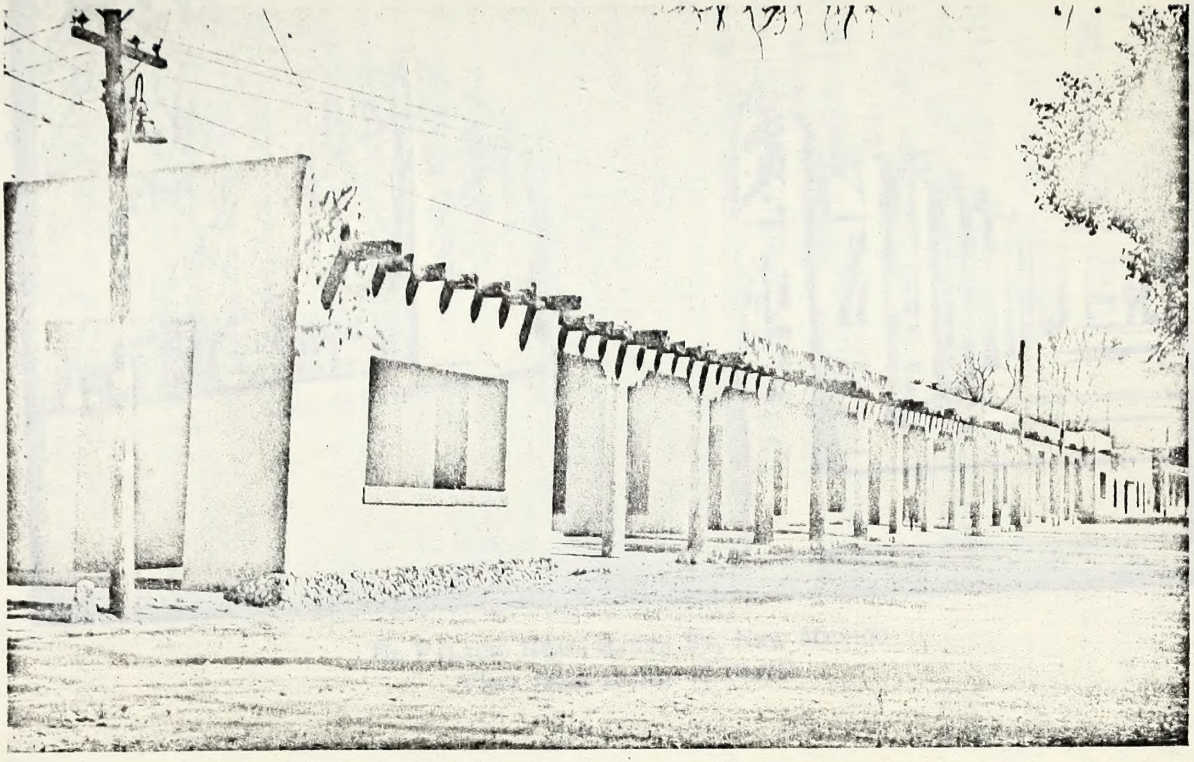
Consult also "*Cartas ordenes del Ilustrisimo senor d. José de Galvez, siendo comandante en jefe de las provincias internas*" in *Documentos para la historia de Mexico*, 4th series, v. ii, "*Cartas importantes para ilustrar la historia de Sinalóa y Sonora.*" pp. 28-71.

Lowery, Maps of Spanish America, 5522-1822.



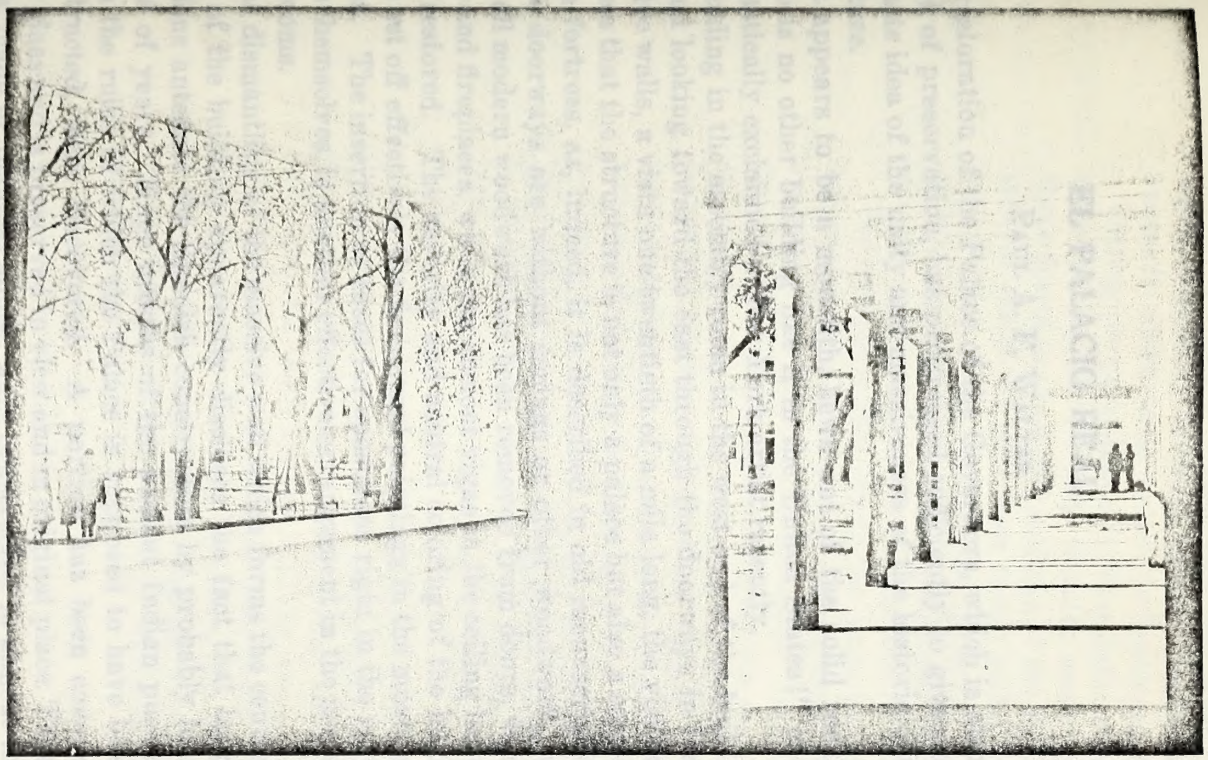
URRUTIA'S MAP OF SANTA FE, 1768





El Palacio Reál, Santa Fe, New Mexico
Erected A. D. 1606, destroyed A. D. 1680, rebuilt A. D. 1697, restored A. D. 1911-13





El Palacio Real, Santa Fe, New Mexico
View from Inside of Portal

EL PALACIO REAL

PAUL A. F. WALTER

THE restoration of the Palace of the Governors, which is also a work of preservation, has progressed sufficiently to give an adequate idea of the unity and massiveness of the historic old structure.

"It appears to be a monolith, hewn out of the solid rock. There is no other building like it in the United States!" enthusiastically exclaimed a New York artist recently.

Standing in the assembly room in the west end of the building and looking toward the east through the doorways in ten massive walls, a vista one-twentieth of a mile long, the visitor realizes that the structure is not only a palace but also a castle and a fortress, as, indeed, it is described in old manuscripts. These doorways are without casings or other woodwork, in fact, all modern woodwork has been removed from doors, windows and fireplaces, while the ancient vigas in the ceiling have been restored. The severity and neutral coloring of the huge walls set off effectively the fine mural paintings in the museum rooms. The insertion of cases for specimens right in the very walls themselves, is another effective arrangement in the museum rooms.

The dismantling of the massive wall which forms the central axis of the building apparently discloses the fact that large portions antedate the Spanish construction by probably hundreds of years. Huge masses of the ancient Indian pueblo, upon the ruins of which the Palace is supposed to have been constructed, were discovered. A portion has been covered with glass and is preserved in view and in original place. These walls, made of puddled adobe, were constructed in almost the identical manner of the concrete walls of the present day. The part laid bare formed the interior of a room used for cere-

monial purposes. It contains the niche for the sacred meal bowl, invariably found in ancient pueblo houses, and also the recess in which some household fetish stood.

During the excavations for foundations numerous relics were uncovered. The ceramic remains conform almost exactly to those found in the cliff dwellings of the Pajarito plateau. Numerous skeletons have been found under the floors which, together with those that are being preserved from other sites within the city limits, will doubtlessly throw light upon the ancient people that inhabited the Santa Fe valley.

The ancient portal facing the plaza has been restored to its original rugged beauty according to plans approved by the the regents of the New Mexico Museum. Immense wooden pillars from the Pecos mountains support the giant beams which rest on corbels shaped according to an ancient design found imbedded in the very walls of the Palace. At each end of the portal has been placed a square "torreon" or tower with passageway following the outline of the Palace as given on an ancient map of Santa Fe found in the British Museum. On the main lintel of the portal opposite the principal entrance to El Palacio will be carved: "El Palacio Real, erected A. D. 1606. Partially destroyed A. D. 1680. Rebuilt 1697. Restored A. D. 1911-1913."

The board of regents has ordered printed a monograph on the history and archaeology of the Palace of the Governors. New records have been found during the past year throwing light upon its early history, and the dismounting made necessary by the repairs of the past three years has laid bare many features of interest which had been lost sight of. The work of reconstruction has been carried out with fidelity to both history and architecture by Jesse L. Nusbaum of the school and museum staff.

NOTES—REVIEWS—COMMUNICATIONS

A notable installation in hotel construction and interior decoration is instanced in the employment of the very ancient timbers, vigas, corbeilles, and mural brackets saved from the old mission at San Juan, New Mexico, and used in the addition to *El Ortiz*, the most unique of all the Santa Fe Railway Company's hotels, located at Lamy, New Mexico. The mission church from which these old timbers were preserved was constructed early in the eighteenth century, within a short distance from the first capital of the Province of New Mexico, San Gabriel, founded by Governor and Captain-General Don Juan de Oñate, in 1598.

The first New Mexico State Legislature, at its second session during the year 1913, mindful of the necessity of maintaining and restoring the Palace of the Governors at Santa Fe, made it possible by ample appropriation, for the board of regents of the state museum having in charge the management and custody of this oldest governmental structure in the United States, to restore the portal of the building to its seventeenth and eighteenth century appearance. The peculiar character of construction and the many difficulties certain to be encountered in the restoration, caused the board to undertake the work itself under the direct supervision of Mr. Jesse Nusbaum, of the museum staff. The work was completed November 7th. From maps, drawings, and other reliable data, it may be said that its present front elevation corresponds closely to that of the days of Spanish and Mexican occupancy. It is expected that coming legislatures will provide further means for the construction of additional rooms in the rear of the present building wherein may be installed the rapidly growing collections of the museum. In the lintel over the main entrance to

NOTES—REVIEWS—COMMUNICATIONS

the building will be carved the following legend: "*El Palacio Reál*—Erected A. D. 1606; partially destroyed A. D. 1680; rebuilt, A. D. 1697-98; restored A. D. 1911-13." The earliest documentary reference to the building as a *Palacio Reál* is found in the office of the surveyor-general at Santa Fe, in archive 441. Earlier references to the structure invariably use the words: *Casas Reáles* or *Casa Reál*.

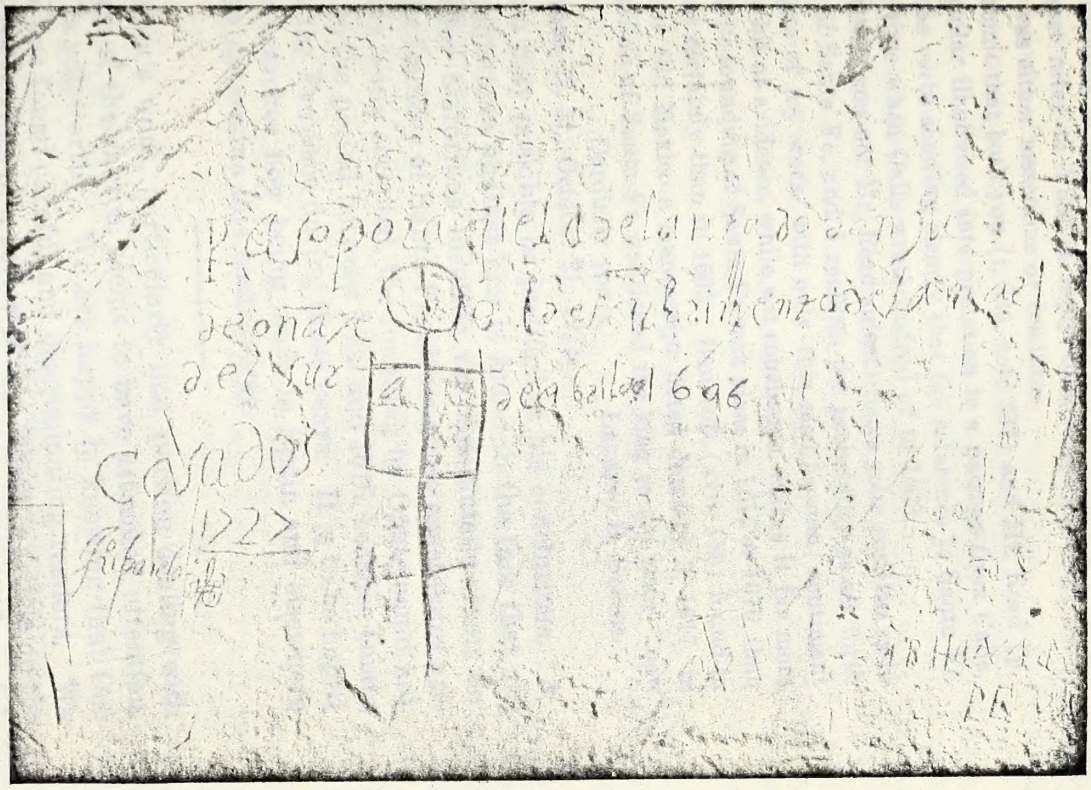
New Mexico under Mexican Administration, 1822-1846, by Reverend Lansing Bartlett Bloom, has been the cause of considerable comment in the press of the State. In response to a note by the editor and in reply to some editorial comment in the October issue, Mr. Bloom, in a letter, says:

It is my aim entirely to exclude controversy from the text of my work now appearing in OLD SANTA FE. The criticism however, embodied in your editorial in the October issue, demands a reply in some suitable part of our Quarterly, so that our readers may have before them both sides of a controverted point. I refer particularly to your remarks on the date of the founding of Santa Fe.

In the quotation which you cite from Posadas, you fail to indicate that certain words are omitted. You do indicate their omission in your history (i, 333, *note* 336), in both cases evidently thinking them irrelevant. By consulting Read, *Illust. Hist. of N. M.*, p. 246, our readers will find (in English translation) these omitted words and also sufficient context for them to judge what bearing this quotation has in settling the disputed date.

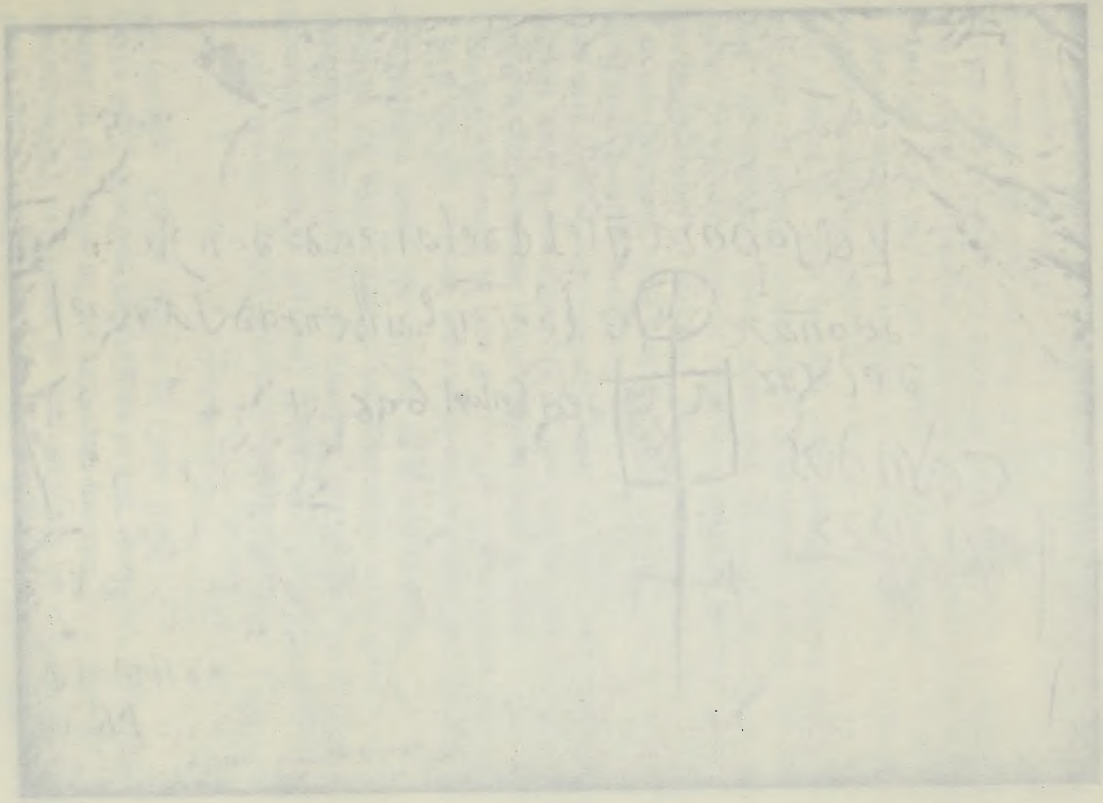
I do not understand how either you or Mr. Read can use the passage as you do. The fact is that Posadas, writing his *Informe á Su Magestad* at some time between 1650 and 1690, mentions Santa Fe simply that his king in Spain may know the relative position of, and distance between, that villa and the Gulf of California.

The villa of Santa Fe, center of New Mexico, is (now when I am writing) at 37 degrees in a straight line south, having the sea on the west, at a distance of 200 leagues. It (Santa Fe?) was discovered (Santa Fe?) in the year 1605 by the Adelantado Juan de Oñate, taking with him some soldiers and religious of my seraphic religion (no settlers?) and as president, the preacher Fr. Francisco Escalona, and as guide of his journey, (to Santa Fe?) a river which they call the



Courtesy of Bureau of Ethnology

INSCRIPTION ON EL MORRO BY THE ADELANTADO DON JUAN DE OÑATE, 1606



great Colorado . . . which holds its course directly to the west and flows into the sea by the bay. . . What has this to do, may I ask, with the founding of Santa Fe? Should you object that the pronoun "*la*" must refer to Villa, I reply that, when Posadas wrote "*Mar*" (sea) was either masculine or feminine.

I further submit that both you (i, 334, *note* 337) and Mr. Read (p. 247) give a similar ill-advised interpretation to a passage from Calle, the tenses of the verbs showing clearly that the reference to Santa Fe applies to the time when Calle wrote instead of to 1605.

In short, neither you nor Mr. Read substantiates your position as to the founding of Santa Fe, and I reaffirm the probability as set forth in the first note of my work, with only this modification; sentiment aside, our one bit of evidence, while not conclusive, makes it far more probable that the founding of Santa Fe took place in 1615 or 1616, than 1609, and most certainly than in 1605. Bancroft (xvii, 159) found in the archives of Old Mexico a manuscript dated January 3, 1617, in which the *cabildo* of Santa Fe petitioned the king to aid their "new settlement." Cordially yours, LANSING B. BLOOM.

Alburquerque, N. M., October 21, 1913.

Mr. Bloom may possibly be justified in his conclusions. A strong circumstance against him is found in the fact that all of the earlier historians mention the Adelantado Juan de Oñate as the founder of Santa Fe, although no exact dates are given. This being accepted, the founding by Oñate could not have been in the period between 1609 and 1616, because Oñate was not in the Province during those years. It is to be hoped that the researches now being made in Spain and elsewhere will shortly determine this controversy.

Mr. Bloom's work, particularly that portion dealing with the history of the church, seems to have attracted attention. The fact is noteworthy. We are happy in knowing that OLD SANTA FE has found careful and discriminating readers. We publish a translation of a review of Mr. Bloom's article on the Church from the *Revista Catolica*, of October 26, 1913, as follows:

In the No. 2 of OLD SANTA FE appears the continuation of "New Mexico in 1822," a historical study by the Rev. Lansing Bartlett

Bloom, who assumes to narrate "facts." let these hurt whom they may. "Truth may be glossed over, but the glossing does not command respect or honor." Let us then see the truth without gloss regarding the Jesuits who in the history of New Mexico in 1822, fit in as does Pilate into the Creed, by whom the Rev. Bloom finds a way to bring into, owing to the great love, we presume, he entertains towards them.

To a note relative to the Inquisition of Mexico and its properties, the author adds the following words which we will translate faithfully.

"A similar and very detailed statement of the temporalities of the 'ex-Jesuits' was published in Mexico on May 28, 1823. Their properties in town and country, their hospitals and convents had a total valuation of 1,090,979-3/7. Their obligations (*los gravamenes que reportan destinados a obras pias, sustento y curacion de enfermos, y creditos pasivos*) 1.565.431-1/6. And the annual revenue was 41,-646-7/8."

The "truth without gloss" shows here that the "ex-Jesuits" of Mexico were far from being rich. Upon something over one million capital there weighed liens of more than one million and a half. Far from being easy the situation was very pressing.

This same conclusion would be drawn by any one who would know that the "ex-Jesuits" of Mexico, on the 25th of June, 1767, when by decree of Charles III they were evicted from all their houses, taken to Vera Cruz and there shipped to the Papal States, formed a Province of 678 individuals [1] divided thus: One "Professed" House, one Novitiate, twenty-three Colleges, nine Seminaries, five Residences, and six Missions. The Jesuits had no "hospitals" neither were their houses called "convents."

Well then, if we except the "Professed House" which existed from charity, the "Professed" houses being forbidden to have fixed incomes pursuant to the Institute of the Society, and which in 1767 was composed of 34 individuals, it follows that the annual income of 41,646⅞ had to feed and clothe 644 individuals; the share of each one was about sixty-one dollars a year, or five dollars per month. A remarkable wealth!

But the Rev. Bloom is not satisfied with acquainting his readers, in season or out of season, what the "riches" of the Mexican "ex-Jesuits" were. He is greatly concerned in consigning to the history

[1] V. "Catalogue of the individuals of the Society of Jesus who formed the Province of Mexico on the day of the arrest, June 25, a. 1767 — Mexico, Printing Establishment of I. Escalante & Co., 1871."

of New Mexico of 1822 other data which are truly astonishing, and they are, 1st. In how long a time had the Jesuits acquired properties worth one million, ninety thousand and odd dollars; 2d. From whence had they derived them; 3d. For what purpose were these to be employed.

And as to the first he affirms, that "in the brief period of nine years" all of that considerable capital had been accumulated.

In nine years! What a Carnegie or a Rockefeller! The Jesuits leave these Presbyterian saints way behind.

We were for quite awhile puzzling our wits to discover from where the New Mexico "historian" brought forth such rare intelligence. It seems to us that we found the riddle at last. The Reverend reasons thus:

The Jesuits, "entirely suppressed by a papal brief of July 21, 1773," were "rehabilitated by a papal bull of August 7, 1814." The inventory of their estates was published in 1823. From 14 to 23 the difference is nine years. Then in those nine years the Jesuitic capital was accumulated.

The argument is crushing: it only lacks one little thing. It remains to be seen if on the 28th of May, 1823, the Mexican government was publishing the inventory of the estates of the Jesuits of 1814, or that of those properties which had belonged to the order before the suppression of 1767.

The latter is the true hypothesis, and we will prove it.

The Society of Jesus had entered Mexico at the request of Philip II in the year 1571. At the period of the suppression, then (1767) it had existed there almost two centuries. In two centuries, it had founded Colleges, Seminaries, and Residences over the entire Mexican area as well also in Guatemala and Habana. The Colleges to the number of 23, possessed each one of them its endowment with permanent income for the support of the professors who imparted instruction gratituitously. It is not strange that all the endowments together reached a total of 1,090,000 dollars. On the contrary this is little.

On the other hand, in 1814 there were not more than four Jesuits in Mexico, the residue of the suppressed Society: Fr. Antonio Barroso, 74 years; Fr. José Ma. Castañiza. 72 years; Fr. Mariano Velasco. 75 years; and the Fr. Miguel Jerónimo González, 84 years. There you have the hoarders of gold!

On the following year, 1815, the Society having been restored, the Mexican Province revived, but nominally. In 1866 the Mexican Jesu-

its were 10: 8 Priests and 2 Coadjutors. In 1871, they had reached 11! And this life continued until the year 1880 or even later. Nor was any other thing possible, the Fathers living in the midst of continuous political disturbances, deprived of all liberty, without any college, nor hardly any fixed home.

To affirm that under such circumstances the Jesuits piled up treasures can be explained only by a deliberate will to invent fables, or by a confusion of ideas that is unpardonable in one who puts on the cloak of a historian.

But second, whence were these treasures derived? "From such province as New Mexico" Mr. Bloom with self-possession tells us. He dreams!

The Government of Mexico never has recognized the Jesuits of 1814 or subsequently. When it published in 1823 the inventory of the estates of the Society, that Government had not made a new confiscation of the properties of the Order. Even though it had wished to accomplish it, it could not have done so, because there was nothing to confiscate. It published then the estates of the "ex-Jesuits," of those suppressed in 1767; and it "turned over" what had not by them been dissipated to the Franciscan Fathers: Bloom himself says so.

Well, then, picture to yourselves if that Government would give to the Jesuits the ecclesiastical income of New Mexico!

In giving to the Franciscans the remainder of the great wreck, that government furnishes us another argument in support of our assertion, that it was not touching the properties of the Jesuits of 1814, but that of their predecessors. The former could not have been accepted by the Franciscans nor any other conscientious individual, the latter could.

Let us close with one single word upon the third point.

For what purpose were the "riches" of the Jesuits intended?

Apparently the policy was to amass a considerable part of the ecclesiastical revenues . . . in the form of an endowment rather than to use them in spiritual ministry; to employ them in enriching the Church and absentee clerics (possibly their General) "rather than in the cure and nurture of souls."

After all that we have said concerning the 644 individuals who were compelled to live out of the moderate income of the Jesuits; of the 23 Colleges that furnished gratituitous teaching; of the 6 Indian Missions where 101 Fathers labored, the effrontery of the quoted assertion needs no further refutation. If OLD SANTA FE wishes to acquire the

character of a dignified and impartial review, it will administer a good lesson to its teller of fairy-tales under the label of "facts" and "truth without gloss."

Mr. Bloom's deductions and conclusions relative to the work of members of the Order of Saint Francis, as found in the October issue of OLD SANTA FE, seem to have evoked a rather turbulent protest from one of the members of that Order.

The editor of OLD SANTA FE does not presume to "blue pencil" the contributions of writers who furnish material for this publication, even at the risk of being designated by Fr. Englehardt as not to be classed among the "reputable" editors in chief. It is certain that should the worthy Father honor the magazine with some contribution, his province as author and an authority would not be invaded by the editor. Fr. Zephyrin and Mr. Bloom are each responsible for their personal statements and conclusions, not the editor of OLD SANTA FE.

Unfortunately the editor does not enjoy a personal acquaintance with Fr. Zephyrin. He feels only too certain that with such personal acquaintance the worthy father-historian would be much softer in his criticism of the editor's personality or of his position with the quarterly.

Relative to Mr. Bloom's statements as to the bringing of the Bible to New Mexico, Fr. Zephyrin says:

"Now as to the whole Bible not having reached New Mexico. The founders of the missions there, the old Franciscan Friars, are dead. They cannot reply to sectarian charges. Hence the Rev. L. B. Bloom finds it very safe to launch his accusations. Nevertheless, their practice will answer loud enough for the intelligent thinker. When it became feasible, on the backs of mules and horses, along with everything else that was necessary came also libraries all the way from the City of Mexico. There were no railroads then. It was exceedingly difficult and expensive to get up anything. Yet Bibles came up, too, and old tomes of every kind. How do we know? Patience. The friars themselves hailed from the capital, just as did those who achieved the wonderful work of conversion in California. All those friars had the same rules, the same customs, the same general superiors, and consequently the same practice obtained with them wherever they labored in the

vineyard of the Lord. Their successors are observing the same practice now. Ask those on the Rio Grande and among the Navajos at present.

"In California, the missions were confiscated in 1834 and 1835 by Voltairianized and liberalized unscrupulous politicians, just as happened in Old Mexico repeatedly since 1824. Everything was inventoried and sold. Thus the libraries of the friars, (and each mission had books of every description, as the Rev. L. B. Bloom may see in the Bancroft), were like the property of the Indians, scattered. Many of the books, however, were saved or returned and found their way into the libraries of the Bishop of Los Angeles, of the parish of Monterey, Old Mission Santa Barbara, and Santa Clara College. A cursory examination of the library at Santa Barbara reveals the fact that the friars possessed well-thumbed Bibles which date back considerably beyond 1846. To pass over all others, the oldest found here was printed in 1573, and was used by Fr. Miguel Pieras, stationed at Mission San Antonio from 1771 to 1774. One complete Bible bears the name of the saintly Fr. Magin Catala of Mission Clara, whose Beatification process is under way in Rome. There are other complete Bibles with the names of the respective missionaries. Every friar in California, it appears, had a copy of the Bible, and that is solid reason for the belief that the same friars in New Mexico were similarly equipped.

"Now for the charge that the Bible in the vernacular was not known and that it was not read in the vernacular in New Mexico. We must fall back upon the practice of the same friars elsewhere, for instance in California. How much of the Bible in the vernacular does the Rev. L. B. Bloom read in his meeting house on Sundays? The whole book? Surely not. Well, in the Catholic churches from time immemorial, different portions of the Gospels and Epistles have been read every Sunday and feastday of the year by order of the very Church which the Rev. L. B. Bloom does his utmost to vilify. The library of Santa Barbara contains any number of books in the Spanish idiom which have the said Gospels and Epistles with appropriate explanations in the same language. Then there are Spanish sermons without number as old as some of the Latin Bibles. An old tome before me was printed in 1564. It is by Luis de Granada on Prayer, Fasting and Almsgiving. Another smaller work, printed in 1592, explains word for word the Gospel of the respective Sunday or feastday in the vernacular Spanish. Such books abounded in Old Mexico. The convents, especially, were filled with them, as the Rev. L. B. Bloom may see if in the City of

Mexico he goes to the Public Library Building, which is none other than the confiscated church of St. Augustine. He will find both side naves of the splendid structure filled from the ceiling to the floor with books robbed from the convents as the brand on the margin demonstrates. The friars not only read and spoke in Spanish to the Indians, but in the native language. There are such sermons in the Indian language, though only written, at the Santa Barbara Monastery. In fact the first works in the Indian language of the United States were written and published by Fr. Francisco Pareja of St. Augustine, Florida, as early as 1612 to 1617, before the Puritans reached Plymouth Rock. These works are catechisms and expositions of the Christian doctrine in both the Spanish and the Timuquan Indian languages. Fr. Pareja died in 1628 at the Convento Grande de San Francisco, the very monastery that supplied New Mexico with missionaries.

"Finally we come to the bold assertion that the padres themselves had not a single copy of the Bible in Spanish until after the close of this period, (i. e. 1846). We have again to ascertain what was the practice of the same friars elsewhere, in California, for instance. Notwithstanding that the missions were confiscated and the books scattered, some of the latter have been preserved. Before me lies "La Biblia Vulgata Traducida en Espanol," in nineteen volumes, Madrid, 1794-1797." Moreover, it is a second edition. The notes are numerous. It was used by Fr. Gonzalez of Mission San José. A later edition has the Latin and Spanish text side by side in twenty volumes. Then there are bound parts of the whole Bible that were saved from the wreck. Thus 'Los Hechos de los Apostolos,' printed at Madrid in 1738. Another part contains the Psalms of David in both Latin and Spanish. This belonged to the edition of Madrid 1785. Earlier Spanish editions may be found in other libraries. Enough. Here is sufficient evidences that the Rev. L. B. Bloom counted on the credulity of the 'Old Santa Fe' readers, and thought he could not be convicted of prevarication since the old padres could not rise from the grave to disprove his audacious assertions."

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E. B. BURTON.

Sworn to and subscribed before me this 20th day of December, 1913.

FRANK J. LAVAN, Notary Public.

(My commission expires Sept. 19, 1914)

345

OLD SANTA FE

APRIL 1914

OLD SANTA FE

APRIL 1914



Reprint from Gregg's *Commerce of the Prairies*

OLD SANTA FE TRAIL — THE CARAVAN IN SIGHT OF SANTA FE

A MAGAZINE OF HISTORY ARCHAEOLOGY GENEALOGY AND BIOGRAPHY

Vol. I APRIL, 1914 No. 4

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CONTENTS

New Mexico under Mexican Administration, IV. Part II — Narrative History of Years 1821-1837. REV. LANSING BARTLETT BLOOM

Reaction: Army and Church Against Liberalism

Messages and Documents. Imprisonment of Chouteau and De Mun at Santa Fe

Volunteer Soldiers of New Mexico and Their Conflicts with Indians in 1862 and 1863. ESTELLE BENNETT BURTON

The Re-Conquest of New Mexico, 1692

Editorial — Communications — Notes

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APRIL, 1914

NEW MEXICO UNDER MEXICAN ADMINISTRATION—IV

PART II—

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Thomas Lowthian*
1896
Antonio Joseph*
Felipe Chaves*
Henry C. Carter
1902
William M. Berger
Solomon Spiegelberg*
1907
Felix Martinez
Solomon Luna*
Nestor Armijo
1908
Mrs. Ella May Cheney
1912
William H. Andrews
Ralph Emerson Twitchell
W. J. Bryan*
Don G. Riddle
C. G. Littlejohn
George W. Martin
Reuben Gold Thwaites
Matilda Coxe Stevenson

* Deceased

OLD SANTA FE

A MAGAZINE OF HISTORY, ARCHAEOLOGY GENEALOGY AND BIOGRAPHY

Vol. I APRIL, 1914 No. 4

NEW MEXICO UNDER MEXICAN ADMINISTRATION—IV

PART II—NARRATIVE HISTORY OF YEARS 1821-1837

CHAPTER X

A TURBULENT YEAR

On April 25, 1832, a member of the Territorial Deputation informed that body that he had the honor to report that, "by disposition of the Supreme Government, he had received the *mando político* of this Territory on March 26th last."[283] He was Santiago Abreu, whom Gregg considered "the most famous character of New Mexico."[284] He was the former deputy to Congress over whom there had been such dissension in 1825, and since the fall of 1828, he had been a territorial deputy. His brother, Don Ramón, had been secretary of the government since August, 1827 — an office which he was to hold until the spring of 1835 or later. Another brother, Don

[283] Confirmed by a mem. book (Lib. of Cong., *N. M. Archs.*) entitled *Libro en q. constan copiados los Decretos y órdenes á esta Gefatura Polo. de N. Mex. desde 27 de Marzo de 1832 en que tomó posesión de Gefe Polito. el C. Santo. Abreú*: entry "2" is of a communication, Alemán to S. Abreú, notifying him of his appointment by the vice-president at Mexico on February 15, 1832. (Vice-President Bustamante served as chief executive from December 31, 1829, to August 14, 1832). Entry "3" is of the notice to Gov. J. A. Chaves that, "because of his long, satisfactory service" (sic), he was now relieved by Abreú. We surmise that Abreú had played politics, as very possibly Chaves had done before him. *V.* quotation from Barreiro in preceding chapter on gubernatorial appointments.

[284] Gregg, i, 129.

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Marcelino, had been teaching a Lancasterian school in Santa Fe for several years, but he now resigned that post to Guadalupe Miranda.[285]

The brief but significant proclamation with which Abreú was to surrender his office a year later gives insight into the developments of his term:

Santa Fe, April 12, 1833.

Santiago Abreú to his Fellow-Citizens.

My Friends: By order of the Most Excellent President of the Republic, I have today delivered the Political Government of this Territory to Don Francisco Sarracino.

I retire without the torment of conscience that I have ruined any one. You are best witness of this truth and you will never be able to deny that sweet peace had its residence in this Territory during the one short year in which I had the honor to rule, notwithstanding the occurrences in the Republic, the dissensions in some jurisdictions, and the party strife in the election of our representative to Congress."[286]

Unfortunately, and indeed as Abreú's very protestation suggests, his term of office was anything but peaceful. This does not mean that he was an incompetent or inefficient executive. He may have been ambitious and self-seeking as were certainly some of his opponents, but the records, fragmentary as they are, show that he was the victim rather of the conditions and circumstances with which he had to contend.

No response to the remonstrances made in November had yet been received from the supreme government, and the new president of the Deputation (Abreú) said "that it was necessary to elevate to the knowledge of the government through our representative in Mexico[287] an exact statement of the most important requests which this Excellent Body has seen fit to present from the year 1829 (!) down to date, especially those regarding the sale of the town-wall and the exposition of Sr. Martinez upon terminating the sessions." Such action was accordingly taken on April 27th, and, although it was without the sanction of the supreme government, the Deputation was

285 Bancroft, 341; Fed. L. O., *legis. mins.*

286 Lib. of Cong., *N. M. Archs.*

287 Rafael Sarracino was deputy in Congress until the October election of this year.

in almost constant recess for the remaining years of its existence.[288]

Yet, despite defective Territorial organization and limited powers of which they complained, this body transacted various matters which show that they exercised some authority recognized by their constituents. In April, for example, an American citizen, "George Prate," petitioned them for a thirty years' grant of sufficient land for the building of a lumber-mill and a tannery in the Santa Fe sierra. The committee to whom the matter was referred reported on July 18th:

1. That every distillery should pay 3 pesos a month.
2. That foreigners who take out lumber should pay 2 pesos a month for every saw operated.
3. That the tax-collector should be guaranteed 10% on all he should take in.
4-7. (Substance of these sections not recorded.)

This report was approved without any change.[289]

Also, during the April and July sessions, municipal regulations (*planes de arbitrios*) were prepared and approved for Alburquerque, Bado, and Santa Fe. In this matter the Deputation seems to have been negligent, for the Santa Fe council had asked for such powers a year and a half before.[290]

On July 19th, a new treasurer of the school fund was elected in the person of Juan Rafael Ortiz. This step was made necessary by reason of the infirmities and advanced age of the "well-meriting" Sr. Bartolomé Baca (whom they noti-

[288] The minutes of two sessions on November 12, 1831, were signed by the members and officials of the Deputation in the following April. In 1832 there were four sessions recorded in April and five in July, and there were also a few sessions of which there are no minutes (*e. g.*, on July 28th). In March, 1833, there were five sessions, the last two of which were not signed until the following August; then we find five sessions of August, the last two of which were signed in October of the following year! Three sessions in that month were the only ones recorded in 1834.

[289] Fed. L. O., *legis. mins. Id.*, arch no. "1303," records a lease of land made before the alcalde of Santa Fe on May 7, 1832. For two pesos per month in money, Juan José Lujan furnished to Harvey Ellison and M. Wyatt land for house, corrals, and a tannery; after the term of fifteen years the improvements to become the property of said Lujan. Witnesses: Jose Pablo Truxillo and Juan Vigil.

[290] V. chap. viii, above, *note* 261.

fied of their action in courteous form), and the more so as they had been informed by the minister of justice and ecclesiastical affairs that that fund was now to be augmented by the salary of the vicar-general. The vice-president had decided that this fund of 3,000 pesos was not needed by the Church and he had therefore decreed that it be transferred to the primary school fund.[291] News of this action brought forth immediate protest from certain citizens who were friends of the vicar, Juan Rafael Rascón. They addressed a petition[292] to the governor, to be forwarded by him to the supreme government and to the bishop at Durango, in which they urged that ecclesiastical authority was needed in New Mexico and expressed high appreciation of the character and labors of Sr. Rascón and of his family. If the decree went into effect he would leave Santa Fe, and the signers of the petition asked that the salary of Rascón be taken from the school fund. The effort was fruitless; in fact, Rascón seems to have resigned at once, for on July 28th Juan Felipe Ortiz notified the Deputation that the bishop of Durango, over the date of June 23d, had named him *vicario foraneo* and that he should assume office on the following Sunday.[293]

The only efficient schools at this time seem to have been those in Santa Fe, Bado, and Taos, the last two being conducted by Presbyter Leyva and Presbyter Martinez respectively. As already stated, Marcelino Abreú resigned the public school in Santa Fe when his brother became governor. The *gefe* and the vicar-general then persuaded Guadalupe Miranda (who had been conducting an excellent private school in the vicar's house) to take the public school at a salary of

[291] Lib. of Cong., *N. M. Archs.*, mem. book of Governor Abreú, entry no. 23, "mail of May 27."

[292] *Id.*, with date "Santa Fe, May 24, 1832"—either a mistake in the day or Rascón had received information from Durango earlier than the *oficio* to Governor Abreú. In forwarding this petition on May 29th, the governor endorsed it with the statement that there were then six public schools in the Territory supported by public funds: Santa Fe, with 500 pesos; the two villas of Cañada and Alburquerque, with 300 each; and the three pueblos of Bado, Belem, and Taos, with 250 each. This coincides with the statement of Barreiro quoted in an earlier connection.

[293] Lib. of Cong., *N. M. Archs.*, July 28, 1832.

500 pesos a year, the *gefe* offering to provide a decent house for the school. At the same time, the Deputation authorized the *gefe* to order the alcaldes to employ imprisonment as well as fines in the case of parents who did not send their children to school; and the preceptors were to report to the Deputation through their respective ayuntamientos.

Besides the schools already mentioned, there was one at Sabinal in July, but that teacher and those of Alburquerque and Cañada were reported negligent and it is probable that those three schools were closed at that time, until more satisfactory teachers might be secured. Clearly something more was needed than sufficient school funds, for besides incompetent teachers, the Deputation had to struggle with "the obstinate apathy of the respective authorities to the zeal enjoined for the education of the Youth." [294]

In April, the *comisario* in Chihuahua drew upon the *comisario subalterno* of the Territory for whatever funds he had, as they were needed for the expenses of an Apache war then being waged. The Deputation opposed such a remittance because terrible wars were always threatening their own Territory, and in fact, this same Apache war was against them also; nor was it just, so to deprive the Territory of funds that her troop and employees should be reduced to misery. The record shows that the requisition passed through their hands but whether the Deputation could prevent its operation is not evident.[295]

As a part of the Mexican Republic, New Mexico's finances and her paid military force were still controlled through Chihuahua. The demands for more adequate defense were now at last to be heeded, but at the same time a modification in administration is apparent. Hitherto, the military administration had controlled, or at least had been on a parity with, the financial administration; but now, with the establishing of

[294] *Id.*, ms of July 17; Fed. L. O., *legis. mins.*, same date.

[295] A fragmentary *MS.* (Lib. of Cong.), dated July 20th, records their formal protest through a committee of three, Sandoval, Ortiz, and Quintana, to the minister of state and of dispatch of hacienda. They discuss the situation and ask the repeal of some decree of June 5th and the fulfilment of that of March 21st.

new military posts at Taos and Bado, one of the three captains succeeded Colonel Vizcarra as *comandante militar* (that title being modified by 1834 to *comandante principal*), and the three troops appear to have been auxiliary to the *comisaría*. In effect, certainly, the policy of the federal authorities was always that the New Mexicans would have to take care of themselves, and they seem to have delayed enlarging the military force until the customs receipts would meet the increased expenses, their concern being more to prevent smuggling and secure all the revenue possible than to protect the inhabitants against hostile Indians.[296]

In fact, federal neglect was not due to less activity on the part of hostile Indians, for during these years the barbarous nations were aggressive and Colonel Vizcarra was less successful in repressing them than he had been during his service in 1823 to 1825.[297] And the federal attention now accorded them was the direct result of the increasing returns which were being received from the prairie commerce, the amount

[296] The military records of this period are obscure. Vizcarra had returned to New Mexico as *comandante militar* about August, 1829, and Blas de Hinojos came at the same, or about the same, time as captain of the Santa Fe troop. Vizcarra seems to have served until sometime in 1833; although José Maria Ronquillo may have succeeded him early in 1831. In March, 1832, Ronquillo was drawing pay as captain of the Taos post, but with no force under him. At the end of this year, a number of officers (and men ?) were transferred to Bado and made the nucleus of that new troop, José Maria Zuloaga being made captain on April 15, 1833, and by the following December that force numbered 103. (Hist. Soc. of N. Mex., *MSS.* of December 31, 1833; Lib. of Cong., *MSS.* of March, 1832.) In a letter dated "Rio Colorado, August 1, 1833," with a caravan which left the last settlements (of the United States) on May 28th, Charles Bent wrote to Sr. José Maria Ronquillo as "Comandante Militar de N. M." (Lib. of Cong.) Bent may have used a title which was not official, for, late in 1833 (and perhaps earlier) Captain Hinojos was *comandante económico and comandante principal*, serving until his death in February, 1835. (*MSS.* of Hist. Soc. of N. M. and of Lib. of Cong.)

[297] Bancroft, 315, quotes a number of authorities for Indian data of this period. Apaches and Comanches were fighting each other for the buffalo range, the latter being allies of New Mexico in 1833. The Jicarillas were peaceful since driven from their old strongholds by the Comanches, but the remaining Apaches were the constant scourge of the Territory. Gregg, ii, 287; *Ojeada*, 32 (app. 6); Escudero, *Not. Chih.*, 229.

of which made both necessary and possible a larger paid force to protect the caravans and to prevent smuggling.[298]

To pick up the thread of events in the national administration, it will be remembered that Santa Anna had aided Guerrero to supplant Pedraza, whose term as president should have begun on April 1, 1829. Santa Anna became minister of war

[298] The trade had shown a large growth during 1831; in 1832 it was not so heavy (v. Gregg's table of commerce). Many points of interest, economic and otherwise, will be found in the following financial statement (Lib. of Con.):—

"*Comisaria Subalterna* *Santa Fe*
del Territorio de *Nuevo Mexico.*

"Cash balance and itemized statement made in said office of funds on hand and military provisions according to art. 13 of the law of May 8, 1826.

"Made on July 1, 1833, by José Maria Alarid, and viséed by Ramon Abreú.

RECEIPTS

Balance of July 1, 1832	2,696.	7.	3½.
By confiscations (for smuggling)	466.	2.	8.
" *derecho de Reserva* created by the law of April 6, 1830	19,444.	6.	10.
" frontier duties according to general tariff	8,686.	4.	8½.
" consumers tax required by law of Aug. 24,'30	5,739.	1.	2½.
" value of legal paper issued	92.	4.	6.
" export duties by above tariff	343.	1.	6.
" balance through mistake in preceding general account of the *Económico*		3.	8.
" deposits of contraband not yet disposed of	2,958.	0.	0.
Total	40,428.	0.	4½.

DISBURSEMENTS

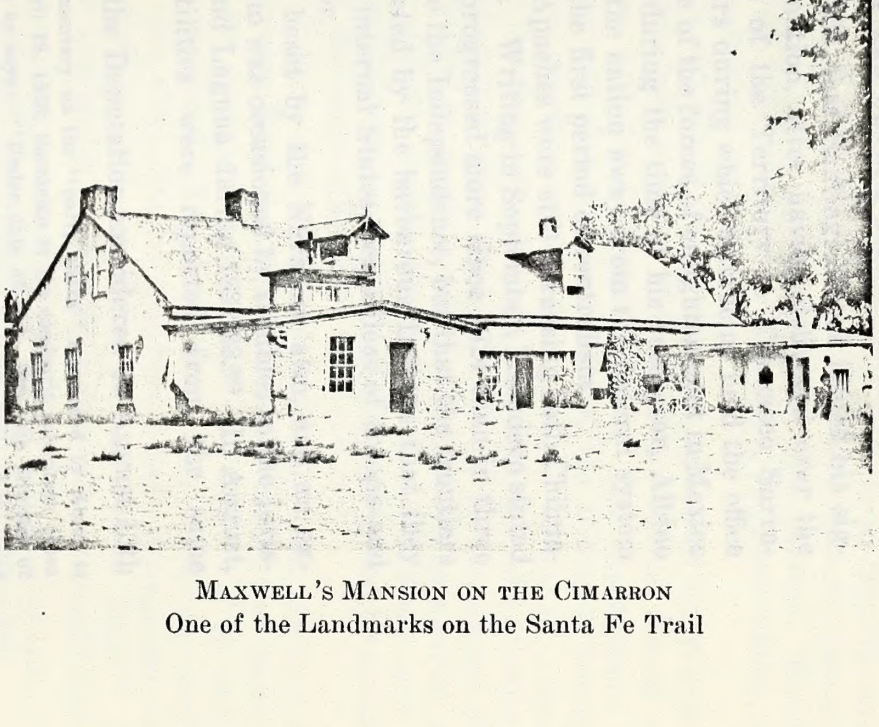
To the permanent companies of Santa Fe and Bado	26,917.	2.	11.
" " salaries of officials	857.	3.	8.
" " " " the governor, his secretary, etc	7,754.	5.	0.
" ordinary expenses and those of repairs of this office, etc	560.	0.	6.
" the *comisaria general*	800.	0.	0.
" *viático* for Sr. Don Ambrosio Armijo, deputy elect by this Territory in the elections of October of 1832 and which were annulled by the Articles of Zavaleta	400.	0.	0.
" *viático* to Sr. Don Anto. Barreyro, deputy elect for this Territory in consequence of aforesaid Articles	2,695.	0.	0.
" amount paid D. José Miguel Houck, in receipt for 1,300 pesos issued by the Srs. Ministers of the General Treasury to order of D. Ramon Martines de Arellano and endorsed over by him to Houck	966.	0.	0.
	40,950.	4.	1.
Deficit	522.	3.	8½.

and commander-in-chief, and as such he gained distinction in the following August and September by repelling the Spanish invasion of that year. But in December, personal ambition led him to rise in insurrection against Guerrero, and then the vice-president, Anastacio Bustamante, was chief executive for nearly three years; to be exact, until Santa Anna overthrew him also, in August of 1832. There was an acting president until December of that year, when the insurrection was terminated successfully in the Articles of Zavaleta. As a result, Pedraza, who was now an ally of Santa Anna, became president on December 24th and served until the following April, thus completing the presidential term which he should have begun four years before! At the elections in February, Santa Anna was chosen president as head of the Federalist party, whose aim now was to establish a centralized government in Mexico. Gomez Farias became vice-president, and to him Santa Anna left the cares of office and the odium of a policy which was generally unpopular. Most of the time, Santa Anna was in retirement at his hacienda, but he kept a close watch on the progress of events.

The national revolution above noted made void the elections which were held in New Mexico in September-October, 1832, and occasioned new ones in the following January-February. Don Ambrosio Armijo had been elected to succeed Don Rafael Sarracino in Congress, but he failed of reëlection in February, Don Antonio Barreiro being the successful contestant at that time. The new Territorial Deputation elected in the fall was likewise upset and the personnel was changed, somewhat at least, in the new election.[299] In these and similar imperfect records we may trace something of the rivalries and factions which were already foreboding that general disaster which was to befall New Mexico four years later.

[299] Lib. of Cong., *MSS.* of September-October, 1832, January-February, 1833; Fed. L. O., *legis. mins.*, shows as deputies for *el bienio Corriente* (the current term of 1833-4) Gregorio Sanchez, José Andrés Sandoval, Juan Andrés Archuleta, Manuel Antonio Baca, Ignacio Ortiz, José Francisco Leyba, Juan Antonio Cabesa de Baca.

None of the alternates, Territorial or to Congress, can be named.



MAXWELL'S MANSION ON THE CIMARRON
One of the Landmarks on the Santa Fe Trail



CHAPTER XI

REACTION: ARMY AND CHURCH AGAINST LIBERALISM

It was on April 12, 1833, that Santiago Abreú issued his significant little proclamation, after having delivered over the political government of the Territory to Francisco Sarracino.[300] The two years during which Sarracino held the office were to see the failure of the forces of enlightenment in Mexico in a reaction which, during the time of his successor, Albino Perez, was to carry the nation away from the federal system of government into the first period of centralism.

This summer, the Apaches were still harassing both Chihuahua and New Mexico. Writing in September, Escudero stated that commerce had progressed more since 1824 than in three hundred years before the Independence, but that the frontiers were so little respected by the barbarous Indians that they were desolating the internal States, regardless of troops and of the national power.

New Mexico was beset by the Navajoes also, and an expedition against them was occasioned by troubles in the jurisdictions of Jemes and Laguna during 1832-33.[301] In August, 1833, Apache hostilities were reported from the same region.[302]

In civil matters, the Deputation considered on August 13th

[300] An interesting commentary on the "party strife" mentioned by Abreú is afforded by a note of April 18, 1833, Sarracino to the comisario substituto (then Agustín Durán) in which he says: "Under date of Feb. 16th, the Minister of State notifies me of my election as Political Governor in consideration of the good offices of Your Honor." (Lib. of Cong.) Since Don Rafael had been the "young postmaster" of Santa Fe in 1812, these two brothers had been playing active parts in New Mexican affairs, in civil, military, and economic positions.

[301] Prince, *Hist. Sks.*, 232; Fed. L. O., *legis. mins.*, March 4 and December 31, 1833. Writing in 1843, Gregg (i, 288) said that the Navajos had ravaged the country with impunity for the last ten years. He implies that Vizcarra's departure had been about 1833.

[302] Gregg, i, 299, describes an Apache raid in the summer of 1834.

petitions which had come from Valencia and from Ojo Caliente. The citizens of the former place asked for a jurisdiction separate from that of Tomé, and also that they be allowed to establish a "half-ayuntamiento."[303] A similar request from the people of Ojo Caliente had been presented in the preceding March, accompanied by a report from the ayuntamiento of Abiquiú and by a certificate from the parochial curate. This new jurisdiction was now created. Various municipal regulations were discussed in the same session, but the result is not recorded.[304]

In the sessions of March, 1833, the schools of the Territory had again been a matter of deliberation, but the federal authorities had directed them to delay the appointment of teachers until they might advise with the bishop of Durango who was planning to visit New Mexico. When, in August, Deputy Sanches called the matter up since the most illustrious lord bishop had arrived in the Territory, the Deputation still delayed until he should reach the capital; but meanwhile, on motion of Padre José Francisco Leyva, a request was sent to the school treasurer, Juan Rafael Ortiz, asking him for a statement of the funds in hand.[305]

Now it seems that a federal law of July, 1833, removed all civil coercion from the collection of the tithes, the resource as we have previously seen on which the support of the public schools depended. Ten years later (and therefore probably at this time also), this law was held to have surrendered any claim which the civil government had upon those funds.[306] If the civil authorities anticipated that the Church would foster

[303] They submitted registration lists which showed a population of 1,605. The Deputation asked the ayuntamiento of Tomé to pass on the petition first.

[304] Such regulations were issued for Abiquiú in October, 1834, and for Belem in March, 1835. New jurisdictions at San Yldefonso and at Santa Clara were also created on October 7, 1834.

[305] His report, received the following day, was sent by the Deputation to "*Ex-Gefe Político* Santiago Abreú," who, in the next sessions (fourteen months later!), is the one who reports on the the same fund.

[306] Lib. of Cong., *legis. mins.*, February, 1844 (which failed to be bound with those now in the Fed. L. O. in Santa Fe). This law was known in Santa Fe before, or very soon after, the bishop's arrival there.

public education, they were disappointed — completely so in the case of Bishop Zubiría and New Mexico. Exclusive control of the tithes was assumed, the aid sought by the Deputation was refused, and ecclesiastical resources were of less benefit after the bishop's visit than before.

The truth seems to be that the New Mexicans were carried away with enthusiasm that their bishop had at last deigned to visit them after a lapse of seventy-one years. They were beside themselves with joy, and their demonstrations and adulation dissipated any lurking good intentions with which their ecclesiastical lord may have entered the Territory.

An American who was in Santa Fe at the time says: "During the bishop's sojourn in Santa Fe, which to the great joy of the inhabitants lasted several weeks, he never appeared in the streets but that all true Catholics . . . immediately dropped upon their knees, and never moved from that position till the mitred priest had either vouchsafed his benediction or had disappeared. Even the principal personages of the city would not venture to address him till they had first knelt at his feet and kissed his 'pastoral ring.' . . Magnificent preparations were made everywhere for his reception: the streets were swept, the roads and bridges on his route repaired and decorated, and from every window in the capital were hung a profusion of fancy curtains and rich cloths."[307] As an incident of this visit, we read that "His Lordship, while in the villa of Santa Fe, found that the parochial church, though the first established in the city and the head of all the others in the territory, was entirely destitute of suitable vestments for the celebration of the holy sacrifice, and intimated his wish of a contribution from the faithful to provide for this want."[308] It is possible, of course, that the nature

[307] Gregg, i, 255-6.

[308] Salp., 165. The bishop brought Presbyter Martinez pontifical letters which granted him the right to make confirmations. Evidently his independent and freely expressed views had not brought him into disfavor. V. Sanchez, *Mems. del Padre A. J. Mart.*, 20. Similar powers were brought by the bishop for the vicar Jn. F. Ortiz, and for the priest at Tomé. *V.* Twitchell, ii, 187.

of his reception and entertainment were such as to prevent his realizing fully the actual conditions in New Mexico.

The schools struggled along until October of 1834, when Santiago Abreú sent in to the Deputation a statement which showed that the school fund then amounted to only 200 pesos 2½ reals, with 459 pesos 4 reals due from the late Bartolomé Baca. The president stated that the latter amount was all obligated to the teacher of Alburquerque, to whom even more was due. The situation was discussed under suspension of the rules, and it was agreed to use the small fund in hand in paying up the teachers of Alburquerque and Bado, and the little balance in paying their porter.[309] With this settlement, "the public schools of the Territory are closed, written notice to be sent to the parents so that they may establish private schools as was formerly the custom."[310] At the same time, a request from Citizen Chacon for the position of teacher in the Santa Fe school was refused because of the lack of funds, but permission was granted to Citizen Juan José Carujo to establish a private school in that city, the ayuntamiento being so directed with an order to examine him first.

The closing of the public schools did not release any resources with which to meet other Territorial expenses; civil and economic officials and employees, the troops and their officers were all dependent on the receipts which came in almost entirely from the frontier duties and the internal revenues. The new fiscal year had begun on July 1, 1833, with a deficit, and during the next four years matters appear to have grown steadily worse. For instance, a sub-commissary official reported for the month of May, 1834, a deficit of 2,865 pesos, expenditures having been 4,175 and receipts only 1,310 pesos. In the spring of 1835, the situation had gotten so bad that the *comisario* in Chihuahua, by the express order of the supreme government, forwarded 1,000 pesos when Albino

[309] The *portero* had first been hired on August 16, 1824, to care for the hall and to act as messenger for the sum of twelve reales a month.

[310] Fed. L. O., *mins.* of October 8, 1834. In the notice issued to parents (Lib. of Cong., October 23, 1834), they sought to have parents of children from seven to eighteen years of age pay a monthly sum.

Perez was coming to relieve Sarracino.[311] In October of 1834, the pay of Ramon Abreú as secretary was 1,300 pesos in arrears and he asked the governor to solicit through Deputy Barreiro an advance of that amount by the supreme government out of the general funds of the Territory.[312]

Picking up again the thread of national events, we find that Santa Anna moved backward from federalism toward reaction and monarchism and entered into close relations with the Clericals. He was the dominant character now in the Republic, and at two different times during the next ten years, we shall see in our Territory far to the north the effect of his influence.

But in his backward trend to clericalism and monarchism, Santa Anna could not carry Congress nor all of the people with him voluntarily. It was in this period, according to a Roman Catholic historian who has already been quoted several times, that "the Masonic element that prevailed in the higher classes of the people enacted laws abolishing convents and curtailing the means of support for the churches and clergy."[313] We have already seen how and why Presbyter Martinez of Taos advocated that Congress withdraw the civil obligations for the payment of tithes, as was in fact done in the law of July already cited. Martinez was by no means an isolated example — rather it was because the demand was so widely prevalent throughout the nation that the law was passed. And now a further step was taken in a law of April 16, 1834, which decreed: 1st, that all missions of the Republic were to be secularized; 2d, that they were to be converted in-

311 *V. note* 295, *ante*. Lib. of Cong., *N. M. Archs.*, account book for fiscal year ending June 30, 1834. *Id.*, an attendance book of the *comisaría* employees for the year 1833 shows that Jesús Maria Alarid succeeded A. Durán as *sub-comisario* in May, 1833 (but was in suspense before August, 1834). Among the employees appear Ramón and Marcelino Abreú and Nestor Armijo. *V.* also Fed. L. O., *legis. mins.*

312 This request was not complied with until the following March.

313 Salp., 165. The removal of the civil coercion in the payment of tithes and primacies is meant, but we should not overlook the fact that the Church still had her own authority over her children in this matter. The mention of convents must refer to events of some years before.

to curacies; and 3d, that this law was to go into full effect in four months.[314]

In these measures one can easily discern the efforts of true republicanism to free itself from its incongruous yoking with a Church which, by its very nature, was utterly opposed to all things republican. But the forces of enlightenment were not yet to prevail, and, as sometimes happens, a strange phenomenon was one of the factors which brought about the reaction. On the night of November 12, 1833, there occurred a great meteoric shower in the heavens, and Gregg tells us: "In northern Mexico, as I learned afterwards, the credulity of the superstitious was . . . severely tried by this celestial phenomenon. Their Church had been deprived of some important privileges by the Congress but a short time before; and the people could not be persuaded but that the meteoric shower was intended as a curse upon the nation in consequence of that sacriligious act." [315]

The four months of grace allowed by the April decree would end on August 16, 1834, and in view of this fact, a *pronunciamiento* drawn up in Santa Fe on the first day of the latter month is relevant to both the national and the local situation.[316] It may be inferred, by a study of this document, that

[314] Dublán y Lozano, *Compil.*, under date.

[315] Gregg, i, 306.

[316] Univ. of Calif. (Bancroft Lib.), *El Tiempo*, i, 88, Sunday, September 28, 1834:—

"INTERIOR TERRITORY OF NEW MEXICO

"PRONUNCIAMIENTO OF THE CITY OF SANTA FE, CAPITAL OF THE TERRITORY OF NEW MEXICO

"When the Chambers of the Union openly infringed the pact whereby they exist; when these, arrogating to themselves other powers which the nation has not conferred on them, loosed the rein in their career of unheard of assumptions, nothing remained for the peoples but to oppose with insurrection the criminal attacks of that corporation which, in the vertigo of their untamable passions, imagined that we Mexicans were blind and mute, not to observe and oppose their attacks. Stupidity! The nation has constantly observed all their steps; they (the people) have seen that from their very installation they have advised together only on designs of party and of vengeance, since the elections which, after the plan of ZAVALETA ought to be the fruit of concord and of Constitutional progress, were turned into the demagogic expression of some few loungers who, suddenly

Comandante Principal Hinojos was one of the prime movers in this demonstration and that he and his fellow-officers were warm adherents of Santa Anna. In the rejection of the ad-

possessed of the public posts, and with disdain for those who were worthy, thought only on making the highest representative bodies exclusive.

"The fruits of such a congress could not be other than laws of extermination, of vengeance, and of wrath, by which legislators so headstrong sought to dig the deepest trench in which to entomb the Constitution, the very federal system which they were proclaiming, the rights and guarantees of every citizen, and even those inalienable customs which Mexicans, considered as mere men, hold from the hand of Nature.

"The religion of our fathers, the only true faith and that for which the nation should always make so many and so costly sacrifices, was almost the exclusive object (*sic*) of the raving and malevolence of those Chambers; their sacrilegious hands tattered the divine Gospels, they declared the most open persecution on the ministers of the altar, they opened the gate to apostasy, they tried to seduce the white spouses of the Crucified, and lastly they rebelled as did that other idolatrous Israel at the foot of Sinai against the leaders and venerable prelates of this chosen people, so that the tables of the law and the commandments of the Lord our God were broken. What shall be said of the attacks of the Chambers on the civil order! Alas! Why should we refer to them, and in the relation renew the bitterest grief and anger irrepressible! The nation knows them too well, and all the nations of the earth know them. Barbarous proscriptions, scandalous inhumanities, exorbitant levies, inspired by hatred and dictated by the most iniquitous party designs, unveiled favoritism, and in a word, every kind of caprice formed the wide road along which the Chambers have run precipitately, infringing the Constitution and trampling the bases of our system, without remembering perhaps that they received their very authority from the nation, and that it could never be other than that which was granted in virtue of the faculties which they conferred.

"Behold, then, some of the chief reasons on which is supported the conflagration which like a lightning flash has spread even to the most remote points of the Mexican circumference. All the nation, *en masse*, has risen to place a dike and a remedy to their own misfortunes, and New Mexico, altho the fartherest corner of the Republic, raises her voice energetically that it may be heard by the oppressors, and that they may know that she does not overlook their criminal abuses, and that she does not consecrate with her suffrage and acquiescence the laws, decrees, or measures which are contrary to, or beside, the Constitution, but reputes them of no value, and that here they shall have no force.

"Therefore, the ayuntamiento of this Capital and other authorities and notable persons who subscribe this act, presided over by the Señor Gefe Político, declare and proclaim the following articles:

"First. The Capital of the Territory of New Mexico seconds in all its parts the pronunciamiento which the villa of Cuernavaca made on May 25th.

"Second. It is deemed opportune to express to the Most Excellent Señor General President DON ANTONIO LOPEZ DE SANTA ANNA the most sincere protestations of appreciation, consideration, and respect, which we the

vanced measures which the National Legislature had attempted, Army and Church had joined hands; popular favor had been lost to Congress by reason of superstition and ecclesiastical opposition on the one hand and of severe though

pronouncers attribute to his well-meriting person, trusting firmly in his invincible sword which will not suffer the nation to be entombed in the disorganization and evils which afflict it.

"Santa Fe.—August 1st of 1834.—Francisco Sarracino, as superior political chief of the Territory and president of the junta.—Santiago Abreú, 1st alcalde.—Juan Gallego, 2nd alcalde.—Francisco Archibeque, 3rd alcalde.—Manuel Jaramillo, senior alderman.—Juan Felipe Ortiz, general vicar of N. Mex.—Blas de Hinojos, principal commandant.—Juan Bautista Vigil y Alarid, administrator of mails.—Ramon Abreú.—Jesús Maria Alarid, sub-commissary in suspense.—José Francisco Leyba, curate of Abiquiú and deputy of the province.—Fernando Ortiz, curate of the villa of Cañada.—Luis Robida, alderman of this Capital. There follow 29 signatures.

"Certified copy. Santa Fe, Aug. 1 of 1834.—Lic. Antonio Barreiro, secretary.

"ACT OF THE GARRISON . .

"In the City of Santa Fe, capital of the Territory of New Mexico, 1st of August of the current year of 1834, being assembled in the house of the Señor general commandant, captain Don Blas de Hinojos, the Señors officers, sergeants, and troop which compose this garrison and the frontier companies of S. Gerónimo de Taos and S. Miguel del Bado, the said Sr. commandant Hinojos reported to them the general revolution now going on in all the nation, with the object of sustaining the Most Exc. Sr. general Santa Anna and of putting a stop to the attacks of the chambers and of other congresses which have openly attacked the religion, the *fueros* granted by the Constitution, and the other guarantees of man and of citizen; and in view of this, he asked the opinion of the soldiers who composed said force so as to see whether they were minded to adhere to the plan of the villa of Cuernavaca which has been approved generally by all the peoples of the outer parts; and after this had been read to the said force, Sr. Hinojos expressed his emphatic adhesion to proclaim and to sustain at all odds the articles of the pronouncement of Cuernavaca. To establish his opinion, he drew a graphic picture, vigorous and keen, of the evils innumerable which the nation now suffers through the scandalous and abusive unbridling, sought by the chambers and other corporations, of iniquitous opinions which have been sanctioned as laws contrary to the conscience of the Republic, which is, and has been, and shall constantly be that of sustaining the Catholic religion, without tolerance of any other, and that of maintaining the few *fueros* which in all ages and in all nations have been respected as indispensable guarantees of the classes which compose the hierarchies, most useful of states.

"In turn and by the unanimity of all the junta, the most enthusiastic adhesion was shown by all who composed it, the truly republican soldiers cheering with joy and pleasure for religion, for true liberty, for the troops so pronouncing throughout the length of the nation, and for the well-meriting person of the illustrious general Santa Anna.—Blas de Hinojos, captain and principal commandant.—

doubtless necessary measures on the other, to which Congress had been driven in the effort to maintain their authority; and the revolution which resulted was being cleverly manipulated by Santa Anna and his friends.

José Caballero, lieutenant of the company of Santa Fe.—Esquipula Caballero, 2nd ensign of that of Bado.—For the sergeants of Taos, Baltazar Sandoval.—Gorgonio Marquez, retired ensign.—José Salaices.—For the sergeants of Bado, José Larrañaga, Donaciano Vigil.—For the corporals of Santa Fe, Antonio Sena.—For the corporals of Taos, Domingo Sanchez.—For the corporals of Bado, José Bustamante.—For the troop of Santa Fe, Pablo Dominguez.—Datete de San Eulario.—Ramon Baca.—For the troop of Bado, Juan Salas.

"Certified copy.—Santa Fe, August 1st of 1834.—Hinojos.

"THE COMMANDANT OF ARMS OF NEW MEXICO TO HIS SUBORDINATES

"Soldiers: How sweet! how pleasant to my heart is the august and pacific act which ye have just celebrated without the strife of arms and without the insubordination which is accustomed to vitiate petitions of this character! Ye have declared yourselves amid enthusiasm and the most sincere conviction for the saving plan of Cuernavaca, to which ye are well disposed.

"The chambers of Zavaleta in the most cruel vertigo of their passions assailed not only the divine religion of the nation and of our elders, but they trampled upon all the Mexican and human rights. With hands more barbarous than that of the Asiatic plague they were despoiling through inhuman and unjustifiable proscriptions the most beautiful country on earth; appropriating to themselves the goods of corporations and of persons, they would have liked to reduce—as in fact they did in part—all properties to their sole dominion; and finally, to break all restraint, they schemed and effected the iniquitous and shameful project of destroying the *fueros* and the army. But there came the "thus far" of their excesses and follies, and all the nation has made an heroic exertion of virtue and of salvation to restrain them.

"The illustrious general Santa Anna at the forefront of public opinion has been the first who, with invincible hand, placed the bridle on those chambers which were champing the bit furiously in the career of iniquities into which they had plunged.

"On all sides is heard a cry of indignation and of alarm against the tyrants of the Republic, and today this garrison, making their sentiments harmonize with those of the great majority of the peoples, swear and protest that they will die shedding their blood if need be sooner than compromise with the perverts. So, comrades, receive the most sincere felicitations of your commander for so holy a resolve. I will be the first to sacrifice myself in sustaining your patriotic designs.

"Your swords belong to the nation and not to the chambers; they (your swords) disown their abusive acts, and nothing is more just; they detest the '*sans-culottes*,' which have provoked their irresistible ire.

"Soldiers! Long live Religion! Long live the *fueros*! Long live the conqueror of Tampico and the scourge of tyranny!

"Santa Fe, August 1st of 1834.—Certified copy.—Santa Fe, Aug. 1st of 1834.—Hinojos."

The political governor, Sarracino, encountered difficulties during his administration as had his predecessor. Merely a hint here and there now reveal the troubles with which he had to cope, but these give sufficient basis for the assertion. On November 11, 1833, he was writing to the alcalde of Bado with reference to a demonstration which the people of that place had made against some military campaign.[317] In December of the same year, the election of the new ayuntamiento for Santa Fe (and perhaps for other jurisdictions also) was decided to have been invalid and a new election had to be put through.[318] A week later, the postmaster, Juan Bautista Vigil, was protesting to the governor against the searching of that office by his order and the removal of the mail to his own house.[319]

The regular fall elections of 1834 resulted in the choice of the sixth and last Territorial Deputation,[320] and also in the reëlection of Antonio Barreiro to Congress for the ensuing term.

Among matters of interest with which we find the name of Barreiro associated is the custom of formally celebrating the "16th of September." On July 1, 1831, a "Patriotic Society" had been established in Santa Fe; again, on August 20, 1832, Barreiro was president of a "grand commission" which had been chosen to arrange the observance of that national festivity.[321]

317 Fed. L. O., *Arch.* no. 1089.

318 Lib. of Cong., *N. M. Archs., MSS.* of December, 1833. The procedure of the *junta electoral secundaria* had been invalid in some way. On December 6th, a committee (A. Robidoux, J. Quintana, M. Sandoval) reported to the ayuntamientos: 1. to approve the *Plan de Manzanas* entirely; 2. for the primaries to perform their duties on the next Sunday at the latest (December 8th). On December 31st, final report of the new election was made to *Gefe Pol.* Fr. Sarracino. *Ex-Gefe* S. Abreú became at that time 1st alcalde; for other names, see note 316, ant.

319 Lib. of Cong., December 13, 1833.

320 Territorial Deputation elected October 7, 1834:—

Juan Rafael Ortiz, Nerio Antonio Montoya, Francisco Ignacio Madariaga, Fernando Ortiz, Santiago Ulivarri, Rafael García, Francisco Sandoval. (Gregorio Ortiz? *V. note* 338, *post.* No other alternate of this election is found.)

321 S. Abreú (then *gefe*), Juan Estevan Pino, and Agustín Durán (*comisario*) were a sub-committee appointed to invite the people to decorate their houses on

Of more historic moment is the fact that Barreiro was the one who seems to have purchased and introduced into New Mexico the first and only printing press of Mexican times. It will be remembered that he had stood for deputy to Congress successfully in February, 1833. In his little historical work, *Ojeada sobre Nuevo Mejico*, which, three months earlier, had issued from a press in Puebla, he had mentioned the absence of any press or periodicals in New Mexico; and as early as February of 1831 he and others had agitated the purchase of a press and complete outfit.[322] Now after returning from his first term in Congress, Barreiro was publishing, in the summer of 1834, a periodical, a file of which he presented to the Deputation when he was departing for his second term in Mexico.[323] At the same time, and possibly by sale, he turned the press over to Ramon Abreú, who was then secre-

the eve of the 15th. The "*Grito de Dolores*" is the Mexican "4th of July," but it corresponds to "Paul Revere's Ride" in United States history more nearly than to our formal Declaration of Independence. In August-September, 1844, a "Patriotic Junta of Santa Fe" left record of thirteen sessions. J. B. Vigil was then president or chairman; a total of 343. 4. was expended (of which 165 pesos was for refreshments), and a balance of 90. 6. was reported. (Lib. of Cong.)

[322] *Ojeada*, 29. *V. ante*, *note* 272.

[323] The reason for saying that Barreiro introduced the first press into New Mexico is found in Fed. L. O., *legis. mins.* of October 8, 1834, as follows: "Leyda y apropada la acta anterior, se dió cuenta con un oficio del Sr. Diputado Dn. Antonio Barreyro, en q. pide instrucciones para ayudar al desempaño de su encargo, *incluye una colección del periódico q. publicó en esta capital*, y solicita se le produsca el certificado q. se le dió á principio del vienio anterior."

Sanchez, *Mems. del Padre A. J. Mart.*, 29, implies that it was Martinez who imported this press, and wrongly states that the latter printed the first periodical. Prince, *Concise Hist. of N. M.*, 258-260, credits the Abreú family with the introduction of the press, from the fact that Ramon Abreú owned it when the proclamation of Governor Perez was printed, with date of June 26, 1835. We infer that Abreú bought the press from Barreiro in the fall of 1834. In the summer of 1835 it passed into the hands of Padre Martinez, who used it probably until late in 1843 when he sold it to Donaciano Vigil. That Jesús Maria Baca served as printer during all these years suggests that he also had originally been secured from Mexico by Barreiro.

The possession and use of this famous little press was without question an important factor in winning for Barreiro a second term in Congress, the only one during our period who was reëlected. The tradition recorded by Gregg that Padre Martinez electioneered with this press is probably incorrect—possibly through a confusion of him and Barreiro.

tary of the Deputation; and by the following summer it had come into the possession of Presbyter Martinez. The latter utilized it in printing educational and religious matter, and in issuing the next periodical to appear in the Territory. This was a little weekly called *El Crepúsculo* which began on September 29, 1835, and expired with the fourth number. Only some fifty subscriptions had been secured in that time.

The sessions of October 7, 8, and 9, 1834, were the only ones which broke the long recess of the Deputation from August, 1833, to March, 1835. At the latter time, the Deputation was convened because of the "grievous state in which the war with the barbarous Indians holds the Territory, and the need to decide upon proper measures." On February 28th, during a campaign against the Navajoes, Principal Commandant Blas de Hinojos had been killed, as had also an Indian of Jemes and Division Commandant Juan Antonio Baca.[324] The New Mexicans, for their part, had killed thirty-six "among small and large," had taken three prisoners, and had rescued one captive. They had also captured 6,000 head of small stock and something over 100 large stock, and the *gefe's* distribution of these was approved by the Deputation. All the participants had been remunerated for their losses with the exception of President Sarracino and Juan Estevan Pino.

The Deputation discussed stationing four detachments on the frontiers of Abiquiú, Ojo Caliente, Laguna, and Jemes, and a committee was asked to report on some such plan of defense. Upon motion of Deputy Pino, they also asked the

[324] Twitchell, *Lead. Facts of N. M. Hist.*, ii, 21, gives the will of this Juan Anto. Cabeza de Baca. Gregg makes an absurd story of this campaign and he is followed by recent historians in giving the date wrong, but an earlier anecdote in which Hinojos was concerned is amusing. He had directed his orderly-sergeant (whom various details show to have been Donaciano Vigil) to broach a keg of powder, and the latter did so with a gimlet—and a heated poker! Possibly he reasoned that if the iron did not look red, it might burn the wood without disturbing the powder; but the experiment in chemistry caused a demonstration in physics which might have furnished the lone army surgeon an opportunity for original research. But strange to relate, Hinojos lived to be killed by the Navajos, and Don Donaciano continued to take an active part in New Mexican affairs. (Compare Gregg, i, 288-9).

gefe to summon a special counsel of principal men and men of means which should either raise a levy of 50,000 pesos to pay the poor and middle classes who would have to take the field or else pledge them the spoils of war.[325]

The successor of Hinojos was José Maria Caballero, "Lieutenant with grade of Captain of the Presidial Company of Santa Fe and Principal Commandant temporarily of the Territory of New Mexico." [326]

After two hurried sessions on the 24th of March, the Deputation again went into recess, not to meet again until the following January.[327] It may be that *Gefe* Sarracino himself participated in an Indian campaign during May, returning to the capital shortly before the arrival of Colonel Albino Perez who was now being sent to succeed him.[328]

Reverting to the background afforded us by national affairs, we find that President Santa Anna resumed the reins of office eight days after Congress, under Vice-President Farias, had passed the decree for the secularization of all missions.[329] The pronunciamento in Santa Fe, of August, 1834, was doubtless but one of many such demonstrations in

[325] It was at this session that R. Abreú renewed his request that the general government be asked to advance the 1,300 pesos on his salary as secretary. The necessary papers were made out before final adjournment.

[326] Hist. Soc. of N. M., archs, April 1, 1835. He was ordered by the general commandante at Chihuahua (in *oficio* discussed by the Deputation on March 23d) to enroll 200 Taos Indians under Lieut. José Silba with pay of two reals a day from spoils of war and with bounty for recovered captives. This force was to be held subject to the orders of the general commandant *versus* Apaches or Comanches as need arose. The matter was referred to a committee, result unrecorded.

[327] Fed. L. O., *legis. mins.*

[328] Bancroft, 310, says that Mariano Chaves acted as gefe from May to July. No evidence of this is found and the one so to act should have been Juan R. Ortiz or another deputy. Sarracino was in Santa Fe as late as April 19th and after June 11th, but a *MS.* of June 12th suggests that he may have been absent in the interim. On that day, postmaster J. B. Vigil wrote that the *administrador principal de correos* in Chihuahua, in *oficio* of April 15th, had reported that the Apaches had killed the courier, Andrés Garcia, near Carmen and carried off the mail which left Santa Fe on April 1st. Vigil had notified the public (about May 1st ?), and now he notified the governor also. (Lib. of Cong.)

[329] Dubl. y Loz., *Compil.*, April 16, 1834.

Mexico which were gotten up to secure popular support against such liberal measures. But this reactionary policy on the part of Santa Anna and his then associates which had in view a change to a centralized system of government was not to be put through without republican insurrections in protest. The most formidable of these occurred in 1835, but it was suppressed by Santa Anna with severity.[330]

330 Two notes on this insurrection are given by Gregg, ii, 100-3. In the spring of this year, Santa Anna deemed it expedient to issue a decree abolishing the state militia known as "*Civicos*," as being dangerous to the liberties of—the dictator. When the people of Zacatecas would not comply, he marched upon them and threw into their strongly fortified city "bombs of paper." The commandant, wrathful at such an insult, marched his forces out against Santa Anna, but then retreated—and the latter entered the city without further opposition!

Being in Durango shortly after, Gregg was awakened on the morning of April 25th by firearms. The *azotea* of the parochial church was occupied by *bravos* belonging to the bishop's party which was openly at war with the liberalists or anti-hierarchists. They were firing at random, but were trying thus to bring about a change of affairs; for at this time, the liberal party controlled the civil government of Durango.

MESSAGES AND DOCUMENTS

MESSAGE OF PRESIDENT MONROE AND DOCUMENTS RELATIVE TO THE IMPRISONMENT OF CERTAIN AMERICAN CITIZENS AT SANTA FE BY THE SPANISH AUTHORITIES IN 1811-1817 [1]

To the House of Representatives of the United States.

In compliance with a resolution of the House of Representatives of the 10th instant, relative to the capture and imprisonment of certain persons, citizens of the United States, therein specifically mentioned I now transmit a report from the Secretary of State, which with the documents accompanying it, embrace the objects contemplated by the said resolution.

JAMES MONROE.

Washington, April 15, 1818.

DEPARTMENT OF STATE,
April 13, 1818.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the tenth instant, requesting information relative to the capture and imprisonment, at Santa Fe, in Mexico, of Augustus Pierre Chouteau, Julius DeMun, and their company; Robert McNight, James Baird, and their company; likewise, J. Farro, citizens of the United States, has the honor of submitting to the President, copies of the papers in this department concerning the subject of that resolution, in relation to McNight, Baird, and their company. He transmits, at the same time, the original papers which contain the information relative to the place where Chouteau, Demun, and their company were captured, requested by the resolution of the House.

1. Deposition of Baptist Ficio and others, taken 25th September, 1817, before F. M. Guyol, a justice of the peace in the Missouri territory.

2. Depositions of Toussaint Charbonneau, and Michel Carrierre.

3. Letter from Julius Demun, to the governor of the Missouri ter-

[1] Message from the President of the United States, transmitting in Compliance with a Resolution of the House of Representatives of the 10th instant, information relative to the Arrest and Imprisonment of certain American Citizens at Santa Fe, by authority of the government of Spain.

MESSAGES AND DOCUMENTS

ritory, enclosing a draught of a map, showing the spot where he, Demun, and his company were taken.

4. Statements marked A, B, C, and D, of expenditures by Chouteau and Demun.

There is at the department no information relative to the capture or imprisonment of J. Farro.

It is desirable, that the original papers, after being communicated to the House, should, if they think proper, be returned to this department.

All which is respectfully submitted. JOHN QUINCY ADAMS.

LIST OF PAPERS ENCLOSED

Copy from the Secretary of State to the Chevalier de Oñis, 8th February, 1817.

Translation of a letter from Mr. Oñis to the Secretary of State, 13th February, 1817.

Copy of a letter from John Scott to the Secretary of State, dated at Washington City, 29th December, 1817.

Copy from the Secretary of State to Mr. de Oñis, 7th January, 1818.

Translation — from Mr. de Oñis to the Secretary of State, 12th January, 1818.

Translation — from Don Luis de Oñis to Don Ruiz de Apodaca, Viceroy of the kingdom of New Spain, 12th January, 1818.

DEPARTMENT OF STATE,
February 8, 1917.

The chevalier de Oñis.

SIR: As you have intimated a willingness to interpose your good offices in behalf of the unfortunate persons to whom the enclosed papers relate, I deem it unnecessary to do more than request your early attention to the subject.

If you could, in addition to your application to the viceroy of Mexico, address one to the local authority at Santa Fe, the relatives of the unfortunate captives would undertake to have it forwarded across the country, from St. Louis, provided you would give the passport necessary for the protection of the messenger. This appears to me the best method of effecting an early release of the captives, and I take the liberty to recommend it accordingly.

I have the honor to be, etc. (Signed) JAMES MONROE.

(Translation)

Don Luis de Oñis to the Secretary of State.

SIR: I have had the honor to receive your note of the 8th instant, with several enclosures, relating to certain individuals detained in the province of Santa Fe, on the ground of their having entered the Spanish territory, without being furnished with the necessary passport.

In conformity to what I before stated to you, I shall transmit these documents to the viceroy of Mexico, and specially recommend this business to his attention, with a request to exert his authority to cause these persons to be immediately liberated provided there appears no sufficient reason to the contrary.

With respect to the passport requested by you, to enable the families of the parties so detained to send a messenger by land, and apply immediately to the local authorities of Santa Fe, I am sorry to say it is not in my power to grant it, his majesty having, under the existing circumstances, reserved to himself the right of issuing passports, through the medium, exclusively, of his principal secretary of state, for the admission and passage of any individual whatsoever, into his colonial territories; but, with a view to facilitate, as far as depends on me, this application to the viceroy, I now do myself the honor to enclose a duplicate of my letter to that officer, to enable you to avail yourself of one of the frequent opportunities which now offer directly for Vera Cruz, in consequence of the opening of that port for the vessels of all friendly nations taking provisions thither.

I renew to you my wishes to be agreeable to you, and pray God to preserve you many years! (Signed) LUIS DE OÑIS.

WASHINGTON, 13th February, 1817.

WASHINGTON CITY, December 29, 1817.

Hon. J. Q. Adams.

SIR: In 1811, or 1812, Robert McKnight, Benjamin Shrive, James Baird, Alfred Allen, Michael McDonough, William Mines, Samuel Chambers, Peter Baum, Thomas Cook, and one ———— Miers, as their interpreter, and probably some others, whose names I do not know, all *citizens* of the United States, of the Missouri territory, went up the Missouri river, and from thence into the Spanish provinces; they were arrested and imprisoned by the authorities of that country, at Santa Fe, and from then till now, have been detained from returning to their families and their homes. Last winter I laid this subject before the Secretary of State, and procured from the Spanish

minister something like an order, (the minister not feeling authorized to give more,) for their release, (triplicates) one was stated to have been sent directly to the viceroy, another was said to have been sent on for the royal signature, and the third was given to me, with a view of having it sent directly on from St. Louis, by some gentlemen who were expected to go shortly through, but who did not go. The paper thus obtained, did not amount to passport to protect any person who would bear the same, and the consequence was, no person would venture to be the bearer of it, when they also run the risk of being immersed with those they went to relieve; and it is presumed from the delay, either that the orders have never reached the viceroy, or have been disregarded. I understood, that even if the copy of the order destined directly to reach the viceroy did arrive, that it did not amount to positive order for their release, but recommended it, and that they should be furnished with the means of returning home; and should this fail the one sent for the royal signature at all events would procure their release.

I hope you will take up this subject, and if an order for their discharge can be obtained, together with a passport, they have friends (and some of them, brothers) at St. Louis, who would go or send instantly to their assistance.

If deemed proper by you, I should be glad to know the result as early as possible.

I have the honor to be, with the highest consideration and respect,

Your obedient servant,

(Signed) JOHN SCOTT.

The Secretary of State to Don Luis de Oñis, envoy extraordinary and minister plenipotentiary from Spain.

DEPARTMENT OF STATE,
Washington, 7th Jan., 1818.

SIR: I have the honor to enclose a copy of a letter received at this department, received from the delegate in Congress of the Missouri territory, and to request information of you whether you have received any advices showing the effect of the applications suggested in the letter to have been transmitted by you, in behalf of the persons stated to have been imprisoned at Santa Fe; and if you have not, I am directed by the President to ask of you a renewed application for the release of these citizens of the United States, and if that is obtained, a passport or safe conduct for any friend or relation of the

prisoners to go to Santa Fe, for the purpose of furnishing them the means of returning to their country.

Be pleased sir, to accept the assurance of my distinguished consideration. (Signed) JOHN QUINCY ADAMS.

(Translation.)

Don Luis de Oñis to the Secretary of State.

SIR: In answer to your very esteemed note of the 7th of this month, enclosing a letter from the delegate of the Missouri territory, I have to assure you of my great regret in not being able to communicate to you positive information of the result or effect of the application which I made on the 13th of February last, to the viceroy of New Spain, in behalf of Mr. James Baird, Mr. McKnight, and other individuals arrested by the Spanish authorities, on the ground of their having entered the territory of New Mexico, on their way from St. Louis to the capital, without being furnished with the necessary passports.

On the same date, I made a representation of this case to his catholic majesty's government, and I requested both his majesty and the viceroy of New Spain, to be pleased to take into consideration the innocence or good faith of the parties in question, by permitting and facilitating their return to St. Louis, or other point on the frontier most convenient to them.

I have yet received no answer either from my court or from Mexico, which is doubtless to be attributed to accidental circumstances, such as the miscarriage of letters, and others of the like nature, which frequently happen. But being anxious to comply with your wishes, and render a service to the above-mentioned individuals, I shall renew my application and request to the viceroy of New Spain, and again make a communication on the subject, to my sovereign. I am sorry, however, to inform you, that it is not within my province to grant the passport wished for Santa Fe, in New Mexico, as it is only his catholic majesty's principal secretary of state, who has authority to issue passports of that nature.

In consequence of which, I enclose a duplicate open letter for the viceroy of Mexico, which may be transmitted by the parties interested, by way of Havana, to some merchant or other person there, to be by them forwarded and properly recommended to Vera Cruz, for the purpose of obtaining a speedy answer and ascertaining the result, which I flatter myself will be completely satisfactory, provided noth-

ing has occurred in the case, repugnant to the laws of the monarchy, and those particularly regulating the affairs of the Indians.

I shall forward triplicate and quadruplicate of the same letter to the viceroy, it not being in my power to do more.

I avail myself of this occasion to renew to you the assurances of my distinguished consideration, and pray God to preserve you many years! (Signed) LUIS DE OÑIS.

WASHINGTON, 12th January, 1818.

(Translation.)

Don Luis de Oñis to Don Ruiz de Apodaca, Viceroy of the Kingdom of New Spain.

MOST EXCELLENT SIR: On the 13th of February, of the last year, I had the honor to inform your excellency, that the Secretary of State of this republic had addressed to me a note, requesting me to employ my good offices with your excellency in behalf of a Mr. James Baird, who, together with the persons named McKnight, Mercer, Server, Allen, Brown alias Baum, McDonough, and others, had been arrested and imprisoned at Santa Fe, having been found within the territory of New Mexico without passports. I then stated to your excellency, that it was alleged by the families of the above mentioned citizens of these States, that their error proceeded from their ignorance of our laws for the administration of the Indias, that is, those which prohibit an entrance into the country to all foreigners, and that their object in going to Santa Fe was purely and simply commercial; in consideration of which, I could not do less than recommend to your excellency to give due attention to the request of the said Secretary, by ordering the requisite inquiries to be made, and the persons so detained to be liberated provided there appeared no sufficient reasons to the contrary, that they might immediately return to their families.

As I have yet received no answer from your excellency on this subject, and the Secretary of State has addressed to me another note on the 7th inst., enclosing a copy of a statement of the deputy of the Missouri Territory, to which the parties in question belong, and requesting me to communicate to him the result of my recommendation to your excellency in behalf of the sufferers, I think it my duty to renew it to you, as I now do in the most particular manner, in the hope that your excellency will give immediate orders, that, with an especial preference to this matter, the necessary inquiries be made into the case of James Baird and other American citizens, confined at

Santa Fe and that, in consideration of the length of time since their arrest and separation from their distressed families, and of their unintentional error, your excellency will be pleased to mitigate, as far as possible, the punishment they may have incurred, by granting them permission and the requisite facilities to return to the Missouri Territory or other part of the American territory most suited to their convenience.

I doubt not that your excellency will pay due attention to this request, and communicate to me the result with all possible despatch, that I may give the necessary information to this government. In the mean time, I renew my respects to your excellency, and pray God to preserve you many years. (Signed) LUIS DE OÑIS.

WASHINGTON, 12th January, 1818.

STATEMENT AND PROOF IN CASE OF CHOUTEAU AND DEMUN, OF THEIR LOSS AND TREATMENT BY THE SPANIARDS

UNITED STATES, TERRITORY OF MISSOURI,

COUNTY OF ST. LOUIS, sct.

The Undersigned having been first duly sworn on the Holy Evangelists, severally, depose and say: that in the beginning of September, 1815, that they were engaged by Auguste P. Chouteau and Company, at St. Louis, in the territory of Missouri for a trading expedition, with the Indians of the head waters of the rivers Arkansas and Platte. The party conducted by the said Auguste P. Chouteau, proceeded to their grounds on the head waters of the Arkansas, and continued the trade until the Spring of 1817; at which time, our encampment was visited by a guard of Spaniards, two hundred or more in number; the commanding officer of which guard, was the bearer of an order from the governor of New Mexico to conduct our whole party to Santa Fe. This order was executed. Auguste P. Chouteau, together with the whole party, consisting of twenty-one persons, accompanied the troop or guard, and on their arrival at Santa Fe, was reviewed by the governor, and immediately put into close confinement. At the time of the arrest of our persons, within the limits of the United States, Mr. Chouteau, conscious no doubt, that he had violated none of the Spanish regulations, took with him a part of his property, to defray expenses; none of which he was permitted to retain, to exchange, or to make any use of. Not only that, but also the whole stock of the company cached or concealed in the ground, near our camp, east of the mountains, and on the head waters of the Arkansas, was seized by the Span-

iards under special order from the governor, and taken to Santa Fe. We remained in prison (some of us in irons,) forty-eight days, during which time we were dieted in a very coarse and meagre manner, with boiled corn or beans, without salt.

When we speak of the review and confinement of the party, we mean the men generally, for Mr. Chouteau and the conductors of our trade, preceded us, and arrived first at Santa Fe. We know not the particulars of their reception or treatment, except that when they were liberated, (after forty-eight days) that their property was not restored to them.

Long previously to our arrest, Mr. Chouteau had equipped several parties for different parts of the upper country, all, as we constantly understood, within the acknowledged limits of the United States. Of the fate of these detached parties, we know nothing. Our arrest and detention in the Spanish province, interrupted that correspondence on which their success must in a great degree have depended.

As well as we recollect, Mr. Chouteau's party, on leaving St. Louis, amounted to forty-six.

JEAN BATISTI BRIZAR, his x mark
BAPTISTE FICIO, his x mark
CHARLES BOORGUIGNON, his x mark
JOSEPH CISDELLE, his x mark
ETTINNE PROVOTT, his x mark
FRANCOIS MAUANT, his x mark
PIERRE LEGRIS, his x mark
FRANCOIS PAKET, his x mark
FRANCOIS DERPORT, his x mark
ANTONIO BIZET, his x mark
JOSEPH BISSONET, his x mark

Sworn to, and delivered and signed, before me, a justice of the peace in the county and township aforesaid, this 25th day of September, 1817.

F. M. GUYOLO,
Justice of the Peace.

William Clark, Governor of the territory of Missouri, commander in chief of the militia, and superintendent of Indian affairs, to all whom it may concern:

Be it known that F. M. Guyolo, is, and was on 25th September last, a justice of the peace within and for the county of St. Louis, territory of Missouri, regularly commissioned. In testimony whereof, I have caused the seal of the territory to be hereunto affixed.

Given under my hand, at St. Louis, the 22d day of November, A. D. 1817, and of the independence of the United States, the forty-second.

(Seal) WM. CLARK.

By the Governor,
FREDERICK K. BATES,
Secretary of Missouri Territory.

TERRITORY OF MISSOURI, } ss.
COUNTY OF ST. LOUIS. }

Toussaint Charboneau being of lawful age, and duly sworn on his oath, saith, that he did some time in the month of July, in the year eighteen hundred and sixteen, engage with Julius Demun of the firm of Auguste P. Chouteau and Company, to go on a trading voyage in the rivers Arkansas and Platte, among the different nations of Indians residing on the said rivers and the waters thereof; that the said Auguste P. Chouteau and Company agreed to pay him for said voyage, the sum of two hundred dollars; that he staid with the said Auguste P. Chouteau and Company from the said month of July, the time of their starting from this place, until July in this same year, and on his return to this town of St. Louis, did receive from the said Auguste P. Chouteau and Company, the sum agreed upon to wit; the sum of two hundred dollars: and further saith not.

TOUSSAINT CHARBONEAU, his x mark

Sworn to and subscribed this 8th day of December, A. D. 1817, before me. J. V. GARNIER,
Justice of the Peace.

Frederick Bates, Secretary, exercising the government of the Territory of Missouri. To all whom it may concern:

Be it known, that J. V. Garnier was on the 8th day ulto. and is a justice of the peace, within and for the county of St. Louis, in the territory of Missouri, regularly commissioned.

In testimony whereof, I have hereunto affixed the territorial seal.

Given under my hand at St. Louis, the third day of January, (L. S.) A. D. 1818, and of the independence of the United States the forty-second. FREDERICK BATES.

TERRITORY OF MISSOURI, } ss.
COUNTY OF SAINT LOUIS. }

Michael Carriere being of lawful age and duly sworn on his oath, saith that he did, on or about the beginning of September in the year

eighteen hundred and fifteen, engage with Auguste P. Chouteau and Julius Demun, being then and there preparing for a trading voyage under the style, name, and description of Auguste P. Chouteau and Company, to go and trade among the different tribes of Indians residing and hunting on the rivers of Arkansas and Platte, and the waters thereof; that he did, according to his contract, with the said Auguste P. Chouteau and Company, go on his said voyage and remained thus employed for the space of two years, for which he did receive from the said Auguste P. Chouteau and Company, as a compensation of wages, a sum of four hundred dollars, which were actually paid to him by his said employers and this deponent further saith not.

MICHAEL CARRIERE, his x mark.

Sworn to and subscribed this 22d day of December, A. D. 1817, before me.

J. V. GARNIER,
Justice of the Peace.

Frederick Bates, Secretary, exercising the government of the Territory of Missouri. To all whom it may concern:

Be it known, that J. V. Garnier was on the 22d day ulto. and is a justice of the peace, within and for the county of St. Louis, in the territory of Missouri, regularly commissioned.

In testimony whereof, I have hereunto affixed the territorial seal.

Given under my hand at St. Louis, the third day of January (L. S.) A. D. 1818, and of the independence of the United States, the forty-second.

FREDERICK BATES.

His Excellency, Governor William Clark.

SIR: Having to relate to your excellency the unfortunate event which has thrown me, Mr. Auguste P. Chouteau, and twenty-four men, for forty-eight days, in the dungeons of Santa Fe, and which by depriving us of every thing we possessed, has brought us to the brink of ruin, I must beg your excellency's indulgence, if I take too much of your time, but I think myself bound to give a detailed account of what happened, the more so, as your excellency's right of granting us a license to go to the head waters of Arkansas and Platte rivers, was denied by the governor of New Mexico, Don Pedro Maria de Allande.

In the month of September, 1815, Mr. A. P. Chouteau and myself fitted out an expedition to go to the head waters of Arkansas river, to trade with the Arapahos, and other Indians living thereabouts, and having obtained a license from your excellency, we started from this

place on the 10th of same month, in company with Mr. Philibert, a trader who had gone to the mountains the year before, and who had come back to get a supply of goods to enable him to buy horses to bring in his furs.

It being late in the season, we had great difficulties to encounter, some of our horses giving out every day, we had to walk more than one half of the way to the mountains, where we arrived on the 8th of December.

On our way we had bought of Mr. Philibert, his furs, goods, horses, etc., and the time of his men. These we expected to find at the fork called by the Spaniards, *el Huerfano*, and denominated on Pike's map, the 3d fork, where Philibert had given them rendezvous; but in this we were disappointed. After our researches were over, we met some Indians, who told us that the men, not seeing Philibert return about the appointed time, and being destitute of every thing necessary to support themselves, had gone over to the Spaniards. We had then no alternative. We determined that I should go in quest of them; and I started in the beginning of January, 1816.

I arrived at Taos, where I found the men, who had been received with the greatest hospitality, and allowed to pass the winter there. I went on to Santa Fe, to explain to the governor the reasons of my coming into the country. As soon as I alighted in the capital, I was presented to the then governor, Don Alberto Maynez, who at first expressed his surprise to see me, but no sooner had I told him the circumstances under which I came, he treated me very politely.

Don Alberto is an old gentleman of good information, who possesses, in a great degree, the good manners and politeness peculiar to his nation.

Having seen on my way to Santa Fe that the rivers abounded with beaver, I asked the governor the permission of coming, with a fixed number of hunters, to catch beaver in the rivers which empty themselves into Rio del Norte. This he could not take upon himself to grant, but had the goodness to write on that subject to the commandant-general. As I could not wait for the answer, Don Alberto told me to come back when convenient, to know the general's answer. I must not omit to say that the governor did not seem a moment to doubt, that we had a right to frequent the east side of the mountains, and there to trade or catch beaver if we could, for he advised me not to go to the south of Red river of Natchitoches, but from that river to the northward we might trade and hunt as we pleased.

I returned to Taos from whence I started, with all our engagees and two Spaniards the governor had ordered to accompany us, till the Rio de la Trinchera; from thence, in three days we reached Mr. Chouteau's camp at the mouth of the third fork. Finding ourselves with more men than we expected at our departure from St. Louis, and not having a necessary equipment, it was necessary for one of us to come back. I started on the 27th of February with Philibert and one of our men, and did not reach this place, but after forty-six days journey, through barren prairies, which, at that season, did not afford any pastures for our horses, having sometimes to travel in the night, to avoid the Panis' war parties which we had the good fortune to discover in the daytime. I bought the goods and engaged men for a new expedition, and having taken another license, started on the 15th July to go by water to the Kansas river, where Mr. Chouteau and I had appointed to meet. On his way from the mountains Mr. Chouteau was attacked by the Pawnees, about 200 in number, had one man killed and three wounded, five Pawnees remained on the spot, and a great many wounded.

At the Kansas river we found ourselves forty-five. We shipped the furs to St. Louis, and started again for the mountains. There we met a party of Spanish traders, who told us that the Utah and Apache Indians were hovering in this quarter, and as those Indians had already killed two of Philibert's men, our return would not have been safe, had our party gone to any distance, so that we agreed that Chouteau should wait for me at the pass called by the Spaniards *Sangre de Christo*, or thereabout. Myself and two men went in company with the Spanish traders till the *Rio de la Culevra*, where we left them and continued our way to Taos. When I arrived at *Rio Colorado*, (a small fork of *Rio del Norte*) I found that a new village had been established since my first passing there. I alighted at the house of the commandant of the place, who told me that I could not go further till he had given notice to the alcalde of Taos, and received his orders. I waited patiently that night and next day. On the second night at about 12 o'clock arrived a party of forty men, commanded by Don Mariano Penna with verbal orders that I must go back with him to my men, and that the governor would not allow me to go to Santa Fe. I answered that I was ready and willing to follow him, but wished to write to his excellency, to which he consented. In my letter, I explained the object of my coming—that it was by the orders and with the consent of his predecessor, and begged of him to

permit me to go to Santa Fe in order to know precisely what to depend on. This appeared to me the more necessary, as Don Mariano had not brought any written orders.

My letter being despatched, we started from *Rio Colorado* to go and rejoin our party. Mr. Chouteau was not at *Sangre de Christo*, but we traced him up the *Rio del Norte*, near where it enters into the mountains. Here Don Mariano, after spending one day with us, took leave. At his departure, he told us that we should remain there, or rather go lower down the river, to wait for the governor's answer.

I do not know what caused the delay but it was not until about twenty days after, that I received a letter from the governor, saying, that the commandant-general would not permit us any time to stay in the Spanish dominions, and to go out of them immediately. I wrote to the alcalde of Taos, that I had just received the governor's orders, and in compliance with them, we were recrossing the mountains, that when on the east side of them, we should remain all winter, that we gave this notice, having no bad intentions, nor any motives to conceal our movements. Receiving no answer, we took it for granted, that being on this side of the mountains, we gave the Spaniards no uneasiness. We had almost every week some traders from the Upper Villages, of whom we bought several horses, bread, flour, etc.

We had fixed on the 15th March, 1817, for the day of our departure, to go in search of the Crow Indians, whom we knew to be somewhere about the head waters of the Columbia; but as the Spanish traders during the winter, repeatedly told us, that the governor had written to the commandant-general, in order to obtain permission to hunt on the rivers running west of the mountains, we did not think proper to abandon a subject so interesting to us. For that purpose, I went to Taos in March; there I was told that there were very unfavorable reports. It was said, that at the first fork of Arkansas (*Rio de las Animas*) we had built a fort; that we had there 20,000 men, with many cannons and ammunition, and other such idle tales; that a party of 200 men had been raised to go and investigate the truth of all those absurd reports. The alcalde having to write to the governor, I wished him to say, that I felt very satisfied to have come under such circumstances, that I proposed to remain as an hostage till the truth should be known, and that my life would answer for the good behavior and pacific occupation of our party. Two days after, the two hundred men commanded by Lieutenant Don Francisco Salazar, of the militia, and Sergeant Manuel Vaca, of the regulars, arrived at

Taos. They intimated their orders, which were to take me back to my party, visit all the places where we had encamped from the mountain to the *Rio de las Animas*, and to dig out all the goods we had put in the ground for security, (having no use for them in the winter). We started from Taos, and a few days after reached this side of the mountains, where, we were soon joined by Mr. Chouteau, to whom we had sent an express. We took out of the ground all the goods, and furs, etc., we had hidden in different places; this being done, Sergeant M. Vaca told us, that the governor had further ordered, that the whole of our party must go to visit with them our former encampments, as low down as *Rio de las Animas*; that if no fort was found, he would leave us there, to get to St. Louis as well as we could. To this we could not consent, for it would have carried us to an inevitable destruction it being the time when the Pawnees are lurking for prey in all directions about Arkansas river; besides, we should have lost the benefit of our spring trade. We proposed to the sergeant, that I should go with him to the *Rio de las Animas*, that Mr. Chouteau would remain where we then were, with a party, that he (the sergeant) would leave to guard him, and that at our return we would go away in a northern direction. Both commanders agreed to this proposition. I started with a party of fifty men to search the so much talked of fort, which, is needless to say, could not be found. Every thing was in order, and a good understanding existed between our people and Spaniards, when we returned. Next day we parted, and were accompanied some distance by the lieutenant, sergeant, and few men. Much delay having taken place by the coming of the Spaniards, it was now impossible for us to proceed to the head waters of the Columbia by the route we had at first intended to go, which was by following the foot of the mountains up the *Rio del Almagre*, and then turn to the west. Though we knew the road to be good, we could not undertake it for want of time, therefore resolved to enter the mountains on the north side of Arkansas River. We passed the first chain with great ease, but we were no sooner on the other side, than we foresaw all the difficulties we had to encounter. We had before us a chain of snow capped mountains much higher than the ones we left behind. The cold was intense, and the recital of hardships would renew the sufferings we underwent. After three days of steady labor through snow, in order to cut a route, we had the mortification to retrace our way back. Perceiving that nothing advantageous could be performed that season, it was agreed that seventeen

men, with the most reduced horses, should go down River Platte, and there to wait for Chouteau, who was determined to remain one year longer. Both he and me, with the balance of our men, (except five Shawnee Indians, who had left us several days before) we came on this side of the first chain of mountains, to take the goods we had put in the ground at the entrance of the mountains and myself take the furs and return to St. Louis, which was fixed on the 23d of May.

In the night, a very heavy rain commenced which continued all day on the 23d, and prevented my starting. At about 2 o'clock, P. M. one corporal and four soldiers came to us: they said that a large party was behind, and would come up next day. On the 24th, Sergeant Mariano Vernal came up with his party and informed us, his orders were to take all to Santa Fe. (Afterwards we were told he had instructions to take us alive or dead). We secured again our goods in the earth, and were escorted to New Mexico. When on our way there, Sergeant Vernal, as it was reported, sent a detachment of his men back to steal our property of which we never heard any thing of only three days previous to our leaving Santa Fe, when the governor made a kind of an inventory of the same. When we got to the *Rio de la Culevra*, Chouteau, myself, and one of our hands, under an escort of ten men, took the advance, and on the 1st June arrived at Santa Fe. I was first introduced to the governor, who inquired in a very angry manner, why I had not obeyed him, when ordered to go out of the Spanish domains? I replied, his orders were obeyed as soon as received; that we were taken on the American territory, where our governor had given us a license to go. At this he got in a violent rage saying that we should pay for our own and our governor's ignorance; using all the time very abusive language, repeating several times that he would have our brains blown up; that we were fortunate he had not come himself, for he would not have taken us alive.

Mr. Chouteau told me since, that he experienced the same treatment, and was likewise confined in a dungeon and in irons.

On the 7th of same month, the lieutenant, Don José Maria de Arce, came in to give the welcome intelligence, that the governor had ordered my irons should be taken off. After forty-four days imprisonment, we were presented before a court martial composed of six members and a president, who was the governor himself. Only one of the six members appeared to have some information, the others not knowing even how to sign their names. Many questions were asked, but

more particularly why we had staid so long in the Spanish dominions? I answered, that being on the waters of Arkansas river, we did not consider ourselves in the domains of Spain, as we had a license to go as far as the head waters of said river. The president denied that our government had a right to grant such a license and entered into such a rage that it prevented his speaking, contented himself with striking his fist several times on the table, saying, "gentlemen we must have this man shot." At such conduct of the president, I did not think much of my life, for all the other members were terrified in his presence and unwilling to resist him, on the contrary do any thing to please him. He, the president, talked much of a big river that was the boundary line between the two countries, but did not know its name. When mention was made of the Mississippi, he jumped up, saying that that was the big river he meant, that Spain had never ceded the west side of it. It may be easy to judge of our feelings to see our lives in the hands of such a man. That day the court did not come to any determination, because the president (as I heard him say to Lieutenant de Arce) had forgot every thing he had to say. Next day we were again presented to the court, but as I knew then what kind of a man I had to deal with, I never attempted to justify myself of his false assertions. We were dismissed, and Mr. Chouteau and myself put in the same room.

Half an hour afterwards, the lieutenant came in with the written sentence; we were forced to kneel down to hear the citure of it, and forced likewise to kiss the unjust and iniquitous sentence that deprived harmless and inoffensive men of all they possess of the fruits of two years labor and perils.

What appears the more extraordinary, is that the governor acknowledged to me afterwards, and in the presence of Don Pedro Pino, (the deputy of New Mexico to the córtes) and several others, that we were very innocent men, and notwithstanding this all our property was kept, and permitted to come home, with each one of the worst horses he had.

I have already taken too much of your time in narrating our journey. Many incidents are probably unnecessary, but by relating facts as they really are, I thought you would sympathize with our sufferings. Our actual loss amounts to $30,380.74. The benefits which we had a probable, indeed a most assured confidence, to reap from our labors, would no doubt have fully compensated us. It remains now to know whether our government will demand satisfaction of the

king of Spain, for outrages committed by his ignorant governor on American citizens. Our accounts have been forwarded to the Honorable J. Scott, our delegate, and we hope, that your excellency will assist our case with the zeal and generosity so congenial with your feelings of justice.

I remain, etc., etc.,

(Signed) JULIUS DEMUN.

SAINT LOUIS, 25th November, 1817.

VOLUNTEER SOLDIERS OF NEW MEXICO AND THEIR CONFLICTS WITH INDIANS IN 1862 AND 1863

ESTELLE BENNETT BURTON

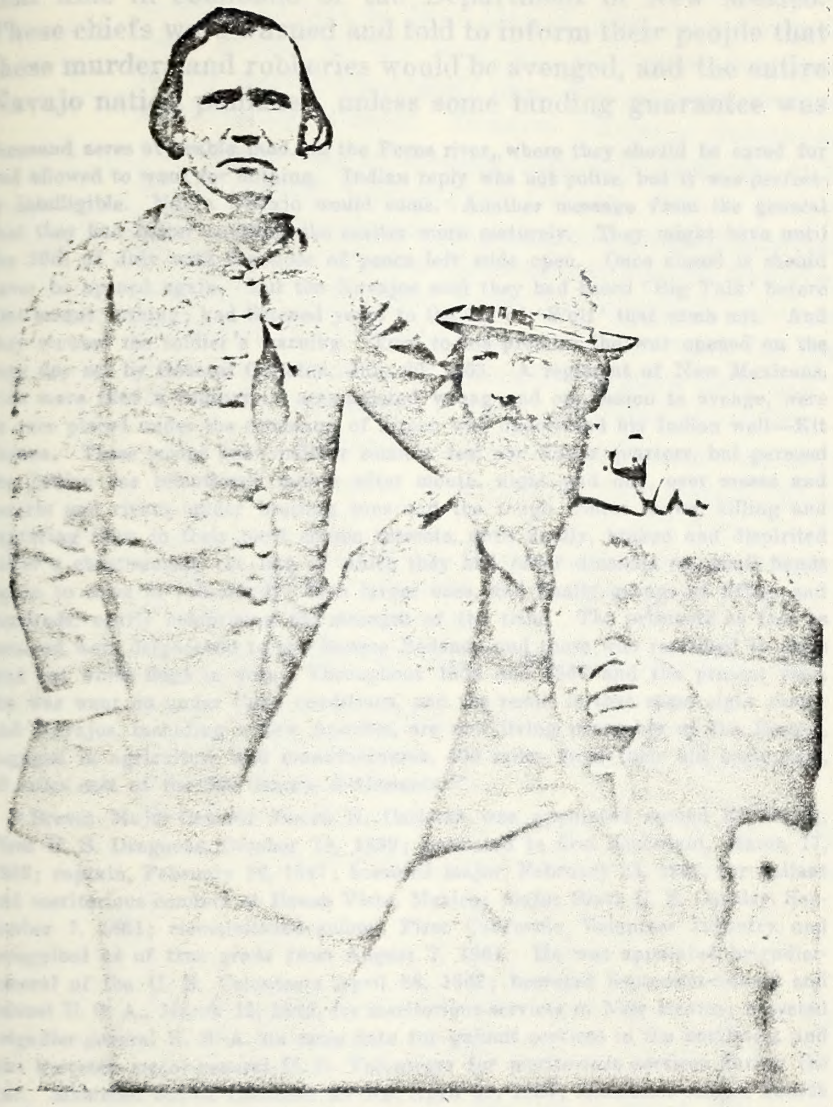
IN THE year 1863, the hostile Navajos had committed a great many depredations against the people of New Mexico. During the year 1862, eighteen of the principal chiefs [1] came to

[1] These chiefs came with the idea of renewing their farcical treaty with the whites. General Carleton refused to accede to their terms. In this connection, Meline, James F., *Two Thousand Miles on Horseback*, pp. 284-285, says: "The Navajos had their Talleyrands and their Metternichs as well as their betters. How profoundly they regretted what had occurred—how ardently they desired the resumption of these amicable relations, etc. Mutual respect, profound consideration, etc,, and all the other verbose stock in trade of diplomacy—they could set forth as handsomely and as hypocritically as Prussian protocol. 'Some bad young men of the tribe had committed this robbery, or that murder, and their heads'—to-wit, the heads of the ambassadors—'were bowed down with grief. Other treaties had been broken, but this treaty—ah, this treaty—should be kept sincerely. You shall see.' Well, we did see. Finally, General Carleton, an officer of superior military and administrative talents, broke up the time-consecrated farce of treaty. Soon after he assumed command in New Mexico, an eminently respectable deputation of eighteen Navajo chiefs with keen perspective of indefinite presents, called upon him to know if he would not make a treaty. The general is from the state of New Hampshire and characteristically answered their question with another question: 'What do you want of a treaty?' 'That we may hereafter have peace.' 'Well, then,' was the unexpected reply, 'go home, stay there, attend to your own affairs, commit no more robberies or murders upon this people, and you have peace at once, without the trouble of a treaty.' Treaties, the general informed them, appeared to confuse matters and involved the double labor to the Navajos of making and breaking them. They, the Navajos, well knew that they never kept them, and he, the general, was not a child to be beguiled by them. 'Now,' he continued, 'go; and if you rob or murder any of this people, so surely as the sun rises, you shall have a war you may not soon forget.' Navajo discomfited, said he had never been treated that way before. Refused a treaty! Was such a thing ever heard of? They were good Indians though. They would return to their country, and try to persuade their young men to behave. The result was, that in a few weeks, the robbery and murder of Mexicans began again. Then came a Navajo message that a large portion of them were peaceably disposed. This was in the spring of 1863. General Carleton sent them word that, as they all lived together, he could not distinguish friends from foes; that those who claimed to be friendly should come out from among the others and go to the Bosque Redondo, a large and beautiful tract of land forty miles square, with six

VOLUNTEER SOLDIERS OF NEW MEXICO AND THEIR CONFLICTS WITH INDIANS IN 1862 AND 1863

Estella Bennett Burton

In the year 1863, the hostile Navajos had committed a great many depredations against the people of New Mexico. During the year 1862, eighteen of the principal chiefs[1] came to



COLONEL KIT CARSON AND GENERAL JOHN C. FREMONT



Santa Fe for conference with General James H. Carleton,[2] at that time in command of the Department of New Mexico. These chiefs were warned and told to inform their people that these murders and robberies would be avenged, and the entire Navajo nation punished, unless some binding guarantee was

thousand acres of arable land, on the Pecos river, where they should be cared for and allowed to want for nothing. Indian reply was not polite, but it was perfectly intelligible. Not a Navajo would come. Another message from the general that they had better consider the matter more maturely. They might have until the 20th of July with the door of peace left wide open. Once closed it should never be opened again. But the Navajos said they had heard 'Big Talk' before that meant nothing; had listened years to the cry of 'Wolf' that came not. And they scouted the soldier's warning. True to his promise the war opened on the very day set by General Carleton, July 20, 1863. A regiment of New Mexicans, with more than a century of accumulated wrong and oppression to avenge, were at once placed under the command of a man who understood his Indian well—Kit Carson. These troops knew neither summer rest nor winter quarters, but pursued the Indian foe relentlessly month after month, night and day, over mesas and deserts and rivers, under broiling suns and the rough winter snows, killing and capturing them in their most chosen retreats, until finally, broken and dispirited under a chastisement, the like of which they had never dreamed of, small bands began to come in voluntarily; then larger ones, and finally groups of fifties and hundreds, nearly comprising the strength of the tribe. The prisoners as fast as received were despatched to the Bosque Redondo and those who remained in arms sent out white flags in vain. Throughout 1864 and 1865 and the present year, the war went on under these conditions, and the result is that some eight thousand Navajos, including a few Apaches, are now living peaceably at the Bosque, engaged in agriculture and manufactuures, 400 miles from their old homestead, 90 miles east of the Rio Grande settlements.''

[2] Brevet Major-General James H. Carleton was appointed second lieutenant, First U. S. Dragoons, October 18, 1839; promoted to first lieutenant, March 17, 1845; captain, February 16, 1847; breveted major, February 23, 1847, for gallant and meritorious conduct at Buena Vista, Mexico; major Sixth U. S. Cavalry, September 7, 1861; commissioned colonel First California Volunteer Infantry and recognized as of that grade from August 7, 1861. He was appointed brigadier-general of the U. S. Volunteers April 28, 1862; breveted lieutenant-colonel and colonel U. S. A., March 13, 1865, for meritorious services in New Mexico; breveted brigadier-general U. S. A. on same date for gallant services in the northwest and also breveted major-general U. S. Volunteers for meritorious services during the war. Mustered out of volunteer service, April 30, 1866; lieutenant-colonel Fourth U. S. Cavalry July 31, 1866. Until September 12, 1865, he was in command of the Department of New Mexico; thence to April 30, 1866, in command of the District of New Mexico. He was born in Eastport, Maine, and died January 7, 1873. General Carleton served in New Mexico prior to the Civil War as a captain, with his regiment, during the years 1855, 1856, and 1857. His record is one of the best of the ''old army'' and ante-bellum days.

given that outrages of this character in the future should cease. As late as June 15th of 1863, no such guarantee had been given; on the contrary, additional murders and robberies were perpetrated upon the persons and property of unoffending citizens. General Carleton determined upon a vigorous policy in dealing with this powerful tribe, and ordered Colonel Christopher Carson, with a proper military force, to proceed without delay to a point in the Navajo country known as Pueblo Colorado, where he was instructed to establish a defensible depot for supplies and hospital, and thereafter to prosecute a vigorous war upon the Navajos, until in the judgment of General Carleton they had been most effectually punished for long continued atrocities.

The force commanded by Colonel Carson was as follows:

Colonel Christopher Carson, First New Mexico Volunteers, commanding.

Captain A. B. Carey, U. S. Army, chief quartermaster.

First Lieutenant Richard S. Barrett, First Infantry California Volunteers, chief commissary.

First Lieutenant Lawrence G. Murphey, adjutant, First New Mexico Volunteers.

Major Joseph Cummings, First New Mexico Volunteers.

Major Arthur Morrison, First New Mexico Volunteers.

Surgeon Allen F. Peck, First New Mexico Volunteers.

Rev. Damaso Taladrid, chaplain First New Mexico Volunteers.

Number	Captains	Letter of Co.	Number of officers	Rank & file	Aggregate	Mounted	Dismounted
1	F. P. Abreü	A	3	75	76	78	
2	A. H. Pfeiffer	H	3	76	79	79	
3	J. L. Barbey	G	3	61	64	64	
4	Charles Deus	M	3	90	93	93	
5	John Thompson	K	3	54	57	57	
6	Joseph Birney	D	3	102	105	105	
7	Francis McCabe	L	3	86	89		89
8	Eben Everett	B	3	80	83		83
9	José D. Sena	C	3	85	88		88
			27	709	736	476	260

Companies K, L, and M proceeded from Fort Union, New Mexico, to Los Pinos, New Mexico, starting the day after the military commission adjourned which was ordered to assemble at Fort Union.

Companies A, H, and G were ordered to rendezvous at Los Pinos.

Companies B and C, then at Fort Wingate, were to be in readiness to move at a day's notice.

Colonel Carson required and received two mountain howitzers on prairie carriages, with an adequate supply of ammunition, etc., for use in defense of his depot at Pueblo Colorado.

These troops marched from Los Pinos for the Navajo country on Wednesday, July 1, 1863.

The chiefs of the quartermaster, subsistence, medical, and ordnance departments furnished, on Colonel Carson's requisition, such spies and guides, means of transportation, intrenching tools, quartermaster property, clothing, camp and garrison equipage, subsistence stores, hospital stores, medicines, arms, and ammunition as were necessary to equip and provide completely for his command to insure to it the cardinal requirements of health, food, mobility, and power.

The post of Fort Wingate, at the headwaters of the Gallo, in the Navajo country, were garrisoned by the following troops:

Lieutenant Colonel J. Francisco Chaves, First New Mexico Volunteers.

Major Edward B. Willis, First Infantry California Volunteers.

Assistant Surgeon J. H. Shout, First New Mexico Volunteers.

First Lieutenant Benjamin Stevens, regimental quartermaster, First New Mexico Volunteers.

First Lieutenant Archibald McFerran, regimental commissary of subsistence, First New Mexico Volunteers.

Number	Captains	Letter of Co.	Number of officers	Rank & file	Aggregate	Mounted	Dismounted
1	J. C. Shaw	F	3	84	87		87
2	Rafael Chacón	E	3	81	84	84	
3	J. P. Hargrave	C	3	69	72		72
4	Lafayette Hammond	H	2	81	83		83
			11	315	326	84	242

A board of officers consisting of Colonel Christopher Carson, First New Mexico volunteers; Major Henry D. Wallen, United States Army, acting inspector-general; Surgeon James N. McNulty, United States Volunteers, medical inspector; brevet Captain Allen L. Anderson, United States army, acting engineer officer; and Captain Benjamin C. Cutler assistant adjutant-general, United States Volunteers, accompanied Colonel Carson's command to a locality in the Navajo country known as Pueblo Colorado, where a site for a military post was selected for a garrison of four companies of cavalry and four companies of infantry. This post was called Fort Canby.

In the early fall of 1862, immediately after General Carleton had assumed command of the Department of New Mexico, Colonel Carson was sent by General Carleton, with five companies of his regiment, the First New Mexico Volunteers, to reoccupy Fort Stanton, from which he was ordered to conduct operations looking toward the punishment and control of the Mescalero Apaches. Prior to October 11, 1862, Carson and his troops were en route to Fort Stanton, and actively engaged in hostile operations against the Indians. Colonel Joseph R. West, of the United States Army, commanding the district of Arizona, with headquarters at Mesilla, New Mexico, was ordered to coöperate with Colonel Carson, and yet to remain independent of Colonel Carson and his command. A communication from General Carleton to Colonel West relative to the activities of the armies of Carson and West, reveals something of the extent of the campaign planned by

Number	Captains	Letter of Co.	Number of officers	Rank & file	Aggregate	Missing	Remarks
1	J. C. Shaw	F	3	84	87		87
2	Rafael Chacón	E	3	81	84	84	
3	J. F. Hargrave	G	3	69	72		72
4	Lafayette Hammond	H	2	81	83		83
			11	315	326	84	242

General Carleton against the Mescaleros, and carried out by his officers in the field. It is as follows:

(Confidential.) HEADQUARTERS DEPARTMENT OF NEW MEXICO.
SANTA FE, N. M., October 11, 1862.

Colonel:

I have ordered Colonel Carson, with five companies of his regiment, to reoccupy Fort Stanton. These troops are already en route to that point; they will immediately commence hostile operations against the Mescalero and Navajo Indians who may be in that vicinity and southward of it.

You will order the following troops into the Mescalero country to coöperate with Colonel Carson, yet to be independent of him: Captain McCleave you will place in command of one expedition, to be composed of his own and one company of your regiment. He will start with this force, increased by twenty good Mexican spies and guides which you are authorized to employ at reasonable rates, on the 15th of next month, and be absent until the 31st day of December, 1862. He will proceed by way of Dog Cañon and operate to the eastward and southeastward of that noted haunt of the Mescaleros.

You will order Captain Roberts of your regiment to command another expedition against these Indians. His force will be composed of all the effective men of his own company, all the effective men of Captain Pishon's company now in the valley of the Rio Grande, north of Fort Quitman, and twenty first-rate Pueblo Indians or Mexicans, whom you are authorized to employ at Isletta, Socorro, and San Elizario. These last twenty I would suggest you employ Don Gregorio Garcia, of San Elizario, to command. He has often been on expeditions against the Mescaleros and had good luck; he knows the country well. Captain Roberts will start from Franklin, Texas, on the 15th of November next, and be absent until December 31, 1862. He will proceed by the Wacco Tanks and thence northwestwardly to such points as will be most likely to be occupied by Apaches. Assistant Surgeon Kittridge will accompany Captain McCleave; Assistant Surgeon McKee will accompany Captain Roberts. There is to be no council held with the Indians, nor any talks. The men are to be slain whenever and wherever they can be found. The women and children may be taken as prisoners, but, of course, they are not to be killed.

From Dog Cañon and from the Wacco Tanks, subsistence stores

General Carleton against the Mescaleros, and carried out by his officers in the field. It is as follows:

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From Dog Cañon and from the Wacco Tanks, subsistence stores

and ammunition, etc., will doubtless have to be transported on pack-mules. I have ordered seventy-five pack-saddles to be sent down from Fort Union for the use of the two expeditions.

I would suggest a depot being formed by each expedition well out into the Mescalero country, further out than Dog Cañon or Wacco Tanks, if practicable—a depot that may be reached by wagons—and thence operate with pack-mules, leaving a few men in depot to guard the supplies not immediately required.

I send a copy of this letter to Colonel Carson, that he may know you are to act, and where your forces are to operate, and he will shape his plans accordingly.

Much is expected of the California troops. I trust that these three demonstrations will give those Indians a wholesome lesson. They have robbed and murdered the people with impunity too long already.

If the movements are kept from being made public, so the Indians through the Mexicans may not know of your plans until the troops take the field, it will be better so. If the Indians want to negotiate, Carson will send the chief, under a flag, to Santa Fe for that purpose.

While Captain Roberts's company is in the field, you will station Captain Willis, with a portion of his company, at Franklin, and leave another portion, under Lieutenant Whittemore, to guard Hart's Mills.

Both McCleave and Roberts will be instructed to keep a journal of every day's march and work; of the estimated courses and distances travelled; of the kind of country passed over; of the water-courses, springs, grass, etc., which they find.

These journals will be forwarded to department headquarters as soon as the campaign is over, and copies of them to Washington.

The several commands will be entirely independent of each other, unless they "happen to join to do duty together," and the commanding officers will have full powers to subdivide their forces, when once they have got into the Indian country, in such manner as in their judgment, will be the best, having in view the punishment of the Indians.

I am, Colonel, very respectfully, your obedient servant,

JAMES H. CARLETON,
Brigadier General, Commanding.

In General Carleton's dispatch to Carson, enclosing copy of this confidential communication to Colonel West, Carson was directed to send one of his mounted companies down to

the junction of the Rio Hondo with the Pecos, to act as an outpost to this country, and to keep scouts well down the river towards Delaware creek, to see that no forces advanced up the Pecos from the direction of Fort Lancaster, in Texas, without his first having timely notice of the fact, so that he might send word to General Carleton.

As the scouts came near the mouth of the Peñasco they undoubtedly found plenty of Mescaleros. It was near that point that Captain Stanton was killed by them. In this case, Carson was advised to move the company down to the mouth of the Peñasco, for the purpose of impressing the Indians, at the same time they could watch the approaches to New Mexico by way of the Pecos; under no circumstances were they to leave the valley of the river unwatched.

The other three companies were to be divided as Carson saw fit, but they were to make relentless war upon all the Mescaleros and upon all other Indians found in the Mescalero country, until further orders.

All men of that tribe were to be killed whenever and wherever they were found. The women and children were not to be harmed, but taken prisoners, and fed at Fort Stanton until other instructions were received as to their disposal. Colonel Carson was instructed to say to any Indians desiring to treat for peace, that when the people of New Mexico were attacked by the Texans, the Mescaleros broke their treaty of peace, and murdered innocent people and ran off their stock; and that now he was sent to punish them for their treachery and crimes, and that he had no power to make peace; that the army was there to kill them wherever they were found, and if they wished peace, their chiefs and twenty of their principal men must come to Santa Fe and have a talk there; but that the army was to keep after their people and slay them until orders were received from headquarters to desist; that making treaties for them to break whenever they had an interest in doing so, would not be done any more; that faith in their promises was gone; that the principal men of our army had come to the conclusion that if some of their men were

killed in fair, open war, that they would be more apt to remember that they would better remain at peace than to be always at war. That this severity, in the long run, would be the more humane course that could be pursued toward these Indians.

General Carleton's whole policy might be summed up in a few words: The Indians were to be soundly whipped without parley or council, except as prescribed by himself.

At the same time that the forces of Colonel Carson were so occupied with the Indians, they were compelled to keep a careful guard against the Texans, not only for the preservation of their own lives, but to carry out the additional instructions of General Carleton, to annoy and harass the Texans to the utmost of their ability.

Late in November of 1862, some Mescalero chiefs came to Santa Fe for conference with a view to concluding terms of peace with the whites. General Carleton, together with the governor, the superintendent of Indian affairs, and several other gentlemen, had an interview with them. They were told that if they desired to have peace, they must come out of the Mescalero country, so that they would not be mistaken for those who are hostile; also, that there would not be any intercourse between those who were hostile and those who were not, as to the movements of the army. They were told that they would be sent, with their families, to Fort Sumner, at the Bosque Redondo, on the Pecos river, and there they would be fed and protected until those who were still at war were properly punished and ready to sue for peace. Instructions were sent to Colonel Carson that at about this time, a train of government wagons would leave Fort Union with subsistence stores for Fort Stanton, and that when the train started upon its return trip, all the Mexcalero men, women, and children of the "peace party" were to be placed, with their effects, in charge of the train; the women and children and all baggage to be hauled in the wagons; plenty of provisions to supply the whole party during the trip to the Bosque Redondo, were to be taken. The commanding officer at Fort Sum-

ner was instructed to feed and protect them after their arrival at that place. After these Indians were removed, war was to be continued upon those remaining as vigorously as before. As parties surrendered, they were to be transferred to Fort Sumner, with the result that eventually, the whole Mescalero tribe would be at the Bosque Redondo, when a definite treaty could be concluded. The following is an extract of a letter from General Carleton to Captain Joseph Updegraff, giving instructions as to the treatment to be accorded to the Indians who were transferred from the Mescalero country, and placed in charge of Captain Updegraff:

When these Indians come to Fort Sumner you will have them encamp sufficiently near your garrison to have them feel secure from attacks by Comanches and Kiowas, of whom they are much afraid; and sufficiently near for you to know that none of them leave for the Mescalero country without authority.

These Indians are to be fed by your commissary; are to be treated kindly; are not to be annoyed by soldiers visiting their camp at improper times.

As you see by my instructions to Colonel Carson, others of this tribe will doubtless soon be sent to join these. You will have all the parties that come in provided for and carefully protected from harm until further orders.

Send me by every express a list of the names of the men and the number of women and children which you are thus called upon to feed and protect, so that provision may be made for them.

It is very evident from the instructions given in this communication, that although General Carleton was determined to wage a war of extermination against the Apaches who were unwilling to live in peace with the whites, still, those who were peaceably inclined were to suffer no harm nor inconvenience, except that of being removed from their native haunts for a brief period of time.

It was about this time — late in the year 1862 — that the Navajos felt impelled to sue for peace, having the need for it brought home to them by the demonstrations of the army upon the Mescalero tribe. Eighteen of their principal chiefs came to Santa Fe to ask for a treaty. They were told that

it would be necessary for them to give some other guarantee than their word that peace should be kept, and that they were to so inform their people, and if they did not return the authorities in Santa Fe would know that they had decided for war. The failure on the part of the Navajos, to take this warning seriously, led General Carleton to turn his attention from that time on, more to the Navajo tribe, and the necessity for punishing them for their deeds of lawlessness. Fort Wingate had already been established and Fort Canby was established in the summer of 1863, from which time war was carried on against the Navajo until their complete surrender in 1868.

In February, 1863, General Carleton considered that the Mescaleros were completely subdued. There were more than three hundred and fifty of that tribe at Fort Sumner, and en route thither, most of what was left of these Indians, except a few who had crossed into Mexico, or joined the Gila Apaches. It was the purpose of General Carleton to make farmers of them, that they might thus gain their support.

Previous to this time there had been an expedition into the Gila country, which was more or less successful. Mangas Coloradas, who was considered a very bad Indian, had been killed. To his credit had been placed more murders, more tortures and burnings at the stake, than all others together. Soon after his death, twenty of his followers were killed, and a large amount of stock recaptured. Among this stock were found some government mules captured from one of our trains during the November previous. During the winter of 1862 and 1863, hostilities against the Gila Apaches were prosecuted with vigor, with the hope that by the time spring opened, the Gila Apaches would be completely conquered, when the force would be transferred to the Navajo country, there to punish the Navajo Indian for his recent murders and robberies. The force was not large enough to make effective demonstration on more than one tribe at a time.

In June, 1863, General Carleton organized an expedition against the Navajos; on the 17th of said month, in a communication to Brigadier-General Lorenzo Thomas concerning the

expedition, he asked permission for the employment of one hundred Ute Indians by Colonel Carson, as auxiliaries to his force, believing that money expended in this way would be profitably laid out. The Navajos entertained a very great dread of the Utes, and Colonel Carson desired to use them as spies and scouts.

The Navajos were given until the 20th of July, 1863, in which to decide if they desired to surrender, and be removed from their own country to the Bosque Redondo, or be considered hostile.

Renewed hostilities on the part of the Mescaleros, delayed and hindered operations against the Navajos. Colonel Carson's forces were, however, withdrawn from Fort Stanton, and sent to the Navajo country near a point known as the Pueblo Colorado, and there established Fort Canby, while Lieutenant-Colonel J. Francisco Chaves occupied Fort Wingate. Major Willis, with two companies from Fort Wingate, were in the Navajo country, hunting these Indians, in an endeavor to kill or capture them. A force was stationed at the Jemez Mountains, known as El Valle Grande, to prevent stock being driven through that thoroughfare. Another force was at the Cibolo Springs, west of Limitar, and smaller detachments were scouting over the country east of the Rio Grande, from Forts Bascomb, Sumner, and Stanton, and from Alburquerque and Los Pinos. Four companies were operating against the Apaches near the head of the Mimbres and Gila. Notwithstanding this energy on the part of the army, small parties of Apaches and Navajos would steal through the country, well mounted, committing depredations. Towards the last of October, 1863, the Indians began to be troublesome near Fort Union, where there was no cavalry. Captain Fritz was ordered to that post for the purpose of subduing the savages in that section. The Navajo seemed to be a more elusive enemy since General Carleton expressed surprise in several communications at the evident inability of the army to either capture or kill any of that tribe. There had been so much stealing by the Navajo — driving off herds of

cattle and flocks of sheep with impunity, that at one time the commanding general seemed to be doubtful and sarcastic of the efforts of the soldiery, "trusting that this flock would not get by you." However, on November 22, 1863, First Lieutenant William V. B. Wardwell, First Cavalry, California Volunteers, left Santa Fe, having under his charge one hundred and eighty-eight men, women, and children of the Navajo tribe of Indians, en route, via Fort Union, for Fort Sumner. They were escorted from Fort Union to Fort Sumner by Captain Fritz, with thirty rank and file of his company. On all occasions, the officers and soldiers had the strictest instructions as to the treatment to be accorded these Indian prisoners. They were to be treated with the greatest kindness, and on no occasion to be annoyed by the soldiery.

On the 18th of December, 1863, Navajo Indians were reported near La Sierra Rica, near the Canadian river. Captain Fritz of Fort Union, Captain Cremony of Fort Sumner, and Captain Bergman of Fort Bascomb were sent in pursuit. On the 23d was reported a fight which took place near Fort Sumner between parties sent out from the post and one hundred and thirty Navajos. The result was that twelve Navajos were left dead upon the field, and one taken prisoner; the wounded were carried off the field by the survivors. The gallant conduct of Lieutenant Newbold, Fifth United States Infantry, with a handful of cavalry, Mr. Lorenzo Labadie, Indian agent, and the Reverend Mr. Fialon, chaplain of Fort Sumner, deserve special mention. These gentlemen, with thirty Mescalero Apaches from the fort, bore the brunt of the fight as they were first to encounter the Navajos.

During the campaign of the year 1863, the following engagements by volunteers and regular troops, were had in New Mexico:

January 4. Colonel Carson, commanding Fort Stanton, reported arrival of two Mescalero Indians, who stated that, in six days, one hundred Mescalero Indians would deliver themselves up at Fort Stanton; that this number comprised all the Mescaleros not already at Bosque Redondo.

January 9. Captain Updegraff, commanding Fort Sumner, reported that two men of the picket stationed at Bosque Grande left the picket contrary to orders, to hunt, and that one of them, Private Samuel Strunk, Company M, First New Mexico Volunteers, was killed by Indians; that the number of Indians then at Bosque Redondo was 248.

January 17. Colonel Carson reported the arrival at Fort Stanton of one hundred Mescaleros mentioned in his communication of the 4th instant, under the following named chiefs: Ojo Blanco, Janero Viejo, Janero Pablo, Janero Francisco, José La Paz, Mancos, Son, Schat-hi.

January 17. Captain E. D. Shirland, First Cavalry, California Volunteers, brought Mangas Coloradas, an Apache chief, into Fort McLean, a prisoner. On the morning of the 18th, in attempting to escape, Mangas was killed by the guard.

January 20. Captain Shirland came upon an Indian rancheria, surprised and defeated the Indians, killing nine and wounding many more, and capturing from them thirty-four head of stock, a portion of which were government mules. The rancheria and all that pertained to it was destroyed.

January 19. Captain William McCleave, First Cavalry, California Volunteers, reported that in obedience to orders, he started from Fort McLean and proceeded to the Pinos Altos mines; arriving at the latter place, a party of Mangas Coloradas's band of Apaches approached the men who were ordered to attack them, which was done; eleven Indians were killed and one wounded; the latter proved to be the wife of the chief, Mangas Coloradas. Three horses were captured, but, being in poor condition, the people at the mines were permitted to keep them.

January 29. On the 29th of January the Indians attacked two hunting parties of company A, Fifth Infantry, California Volunteers, at Pinos Altos mines, killed Private Hussey and wounded Sergeant Sitton. The Indians were driven off with a loss of twenty killed and fifteen wounded. Sergeant Sitton behaved gallantly in this affair.

February 16. L. M. Vaca reported that 4,000 sheep were

stolen from the neighborhood of Limitar by Navajos, and reported that the Navajos stole 2,000 sheep which he recaptured at the Sierras Oscuras, killing three and wounding several Indians, and capturing all their saddles, provisions, etc.

February 25. José L. Perea reported that a band of forty Navajos attacked and drove off 6,000 sheep twenty-five miles south of Pope's artesian well.

March 4. L. M. Vaca reported that since February 26th, 310 head of horses and cattle had been stolen by Indians from the neighborhood of Limitar .

March 5. Major Morrison reported departure of Indians mentioned in Colonel Carson's communication of January 17, 1863, from Fort Stanton to Bosque Redondo; also the departure of fifteen additional Indians who had given themselves up.

March 12. Indians captured near Sabinal 2,300 head of sheep; were followed by Mexicans, who recaptured them on the Jornada on the night of the 12th or 13th.

March —. A band of forty Indians pursued two expressmen going from Fort Stanton to Fort Union. These Indians had a large herd of sheep. Captain Abreú, commanding Fort Stanton, sent Lieutenant McAllister and thirty men, with ten days' rations, to the Sierras Oscuras, to intercept them. The expedition failed to recover the stock.

March 22. On the afternoon of March 22d the Gila Apaches made a descent upon the public herd which was grazing near Fort West, and succeeded in running off some sixty head of horses. At 8 o'clock P. M., the gallant Major William McCleave, First Cavalry, California Volunteers, started in pursuit, with a command consisting of Lieutenants French and Latimer, First Cavalry, California Volunteers, forty men of Company A, twenty-five men of Company B, and fourteen men of Company C, First Cavalry, California Volunteers. Major McCleave followed trail of Indians in a westerly course about seventy miles, and down the Gila five miles, then across a divide to Rio Negro, where he arrived at 9 A. M. on the 26th, and then moved up the stream a short distance; signs at this

point indicated the close proximity of Indians and a rancheria. During twilight the command moved up the stream two miles and made camp. Thirty men were mounted on the only serviceable animals left, under Lieutenant Latimer, and thirty dismounted, under Major McCleave, started in search of the rancheria, leaving the remainder of the command, with Lieutenant French, in charge of broken-down animals, pack-animals, provisions, etc. Leaving the camp at 8 o'clock P. M., the command ascended a mountain on west side of the stream and traveled about twelve miles without meeting with any success. Here the command rested from 1 o'clock of the 27th until dawn of day, it raining all the time. When light enough to see, Major McCleave discovered, from an elevated position, trees, which indicated the presence of water, and a horse grazing in the neighborhood also indicated that the rancheria was near by. Lieutenant Latimer was ordered ahead with his command; discovered rancheria, and gallantly charged upon it. Part of the dismounted men immediately commenced gathering in and guarding the horses, to prevent the escape of the Indians, while the others were skirmishing and fighting on the bluffs. The fight lasted for twenty minutes, and resulted in the complete routing of the Indians, the capture of all our own horses that could be found, and many Indian horses, the killing of twenty-five Indians, and the complete destruction of the rancheria, provisions, and all they possessed. Private Hall, of Company B, First Cavalry, California Volunteers, was wounded in this fight. The command then returned to camp, and soon after noon started on the return trip by a route supposed to be more direct than the one by which the Indians were followed from the fort. This route led up a cañon from the sides of which the Indians attacked the rear guard of the command, wounding Lieutenant French, killing two horses and wounding one. As soon as the attack was made, the soldiers ascended the perpendicular walls of the cañon by climbing one over the other. This was done amidst showers of arrows. As soon as they reached the top the Indians fled in every direction. The superiority of the

Californians over the Apaches, at their own style of fighting, was shown in the case of Corporal Ellis, of Company A, who crawled unseen to a rock behind which was an Indian, and gave a short cough. The Indian raised his head to discover its cause, when a bullet from Ellis's rifle dashed through his brain. The Indians lost in this attack three killed.

On the 30th, provisions giving out, a sergeant and five men were sent to the fort for a supply. Until their return the party subsisted on horse-flesh.

On the 4th of April the command reached the fort. On the 5th Private Hall died from the wounds received in the fight.

Indian loss, twenty-eight killed; troops, one.

March 24. Major Morrison, with Captain Pfeiffer's company of New Mexico Volunteers, en route from Fort Stanton to Fort McRae, at San Nicolas spring came upon a wounded Mexican, who stated he belonged to a train belonging to Martin Lujan, of Socorro, Texas; that the train had been attacked by Indians and nearly all the party killed, he being wounded in three places and left for dead. Major Morrison, with Lieutenant Bargie and eighteen men of the company, went in pursuit, came to the salt marshes at daybreak of the 25th, found ten wagons stripped of everything portable, and, within a circuit of three miles, seven dead bodies of Mexicans, which they buried. They then followed the trail of the Indians towards the Sacramento mountains, then towards the Sierra Blanca until noon, when they met a party of Mexicans, from Tularosa, in pursuit of the same Indians; they had been informed of the massacre by another wounded Mexican, who had escaped. The Indians had at this time twenty hours' start and were hidden in the recesses of the Sierra Blanca. Major Morrison returned to San Nicolas spring, arriving there on the evening of the 25th, having traveled 150 miles. Lieutenant Bargie's conduct is spoken of as deserving of praise. Estimated number of Indians, forty-five in all, twenty of whom were warriors; arrows indicate they were Apaches; seven Mexicans killed and seventy head of cattle stolen.

April 25. Captain Benjamin F. Harrover, Fifth Infantry,

California Volunteers, reported that he attacked, at Apache pass, a band of Apache Indians, numbering about two hundred, thirty of them mounted and several of them armed with guns. At the first fire the Indians fell back, but kept up the fight for nearly two hours. In this affair Private Willcox, of Company E, Fifth Infantry, California Volunteers, was wounded. Indian loss, three killed, wounded unknown; troops, one private wounded.

May —. Major Joseph Smith, commanding Fort Stanton, reported that a party of Indians made a descent on the farmers of Ruidoso and killed a man named Harding, robbed his house, and drove off ten or twelve head of stock.

May 1. Cesario Duran, a citizen, reported that a party under his command had a hard fight with the Apaches in the San Andrés mountains, and succeeded in killing and wounding many Indians. The party lost two men killed; the party recovered several animals and captured seven horses.

May 8. Lieutenant Colonel J. F. Chaves, First New Mexico Volunteers, reported that an Indian named Gordo was seized and turned over to Lieutenant B. Stevens on the morning of 11th instant. The Indian unbound himself and attempted to escape; the sentinel in charge shot and killed him.

May 18. On the night of the 15th the Navajos stole from Jemez six head of horses.

May —. Charles T. Hayden, citizen, reported that the Indians attacked his train near the line of Chihuahua; they were defeated, with a loss of eleven killed, including the renowned Copinggan. Three horses were captured in this fight.

May —. Captain T. T. Tidball, Fifth Infantry, California Volunteers, with twenty-five men of his company and a small party of citizens, attacked a rancheria in Cajon de Arivaypa, killing over fifty Indians, wounding as many more, taking ten prisoners, and capturing sixty head of stock, with the loss of only one man — Thomas McClelland. The party marched five days without lighting a fire, maintaining silence, hiding by day and traveling by night over a country hitherto untrod by white men.

June —. Major Joseph Smith, commanding Fort Stanton, reported that the Indians attacked the expressmen on the 21st of June, near the Gallinas, and compelled them to abandon their mules and express matter and take to the mountains; the mules and express lost.

July 24. Major Morrison reported an attack on Lieutenant Bargie and escort on the Jornada, in which Lieutenant Bargie, while fighting gallantly, was killed. The conduct of Sergeants Peña and Ulibarri, and the two prisoners they had in charge, is highly praised.

June 26. Major Morrison reported further, in regard to the fight on the Jornada, that Private Lucero, First New Mexico Volunteers, was killed.

June 20. Captain A. H. Pfeiffer, wife, and two servant girls, with escort of six men of the First New Mexico Volunteers, were attacked by a party of Apache Indians, numbering fifteen or twenty, at a hot spring near Fort McRae. The captain was bathing at the time, when the Indians made a rush upon the party, killing two men, Privates Nestor Quintana and Mestas. Captain Pfeiffer was wounded in his side by an arrow, and Private Dolores received two shots in his right arm and hand. A citizen named Betts, who was with Captain Pfeiffer, was also wounded. The remainder of party, except the women, succeeded in reaching Fort McRae unharmed, and reported the facts to Major Morrison, commanding the post. He immediately started in pursuit, with twenty mounted men, but did not succeed in overtaking the Indians. Mrs. Pfeiffer and the servant girls were found in the trail, badly wounded. Mrs. Pfeiffer and one of the servants died. Loss in this affair, two privates killed, two women mortally wounded; one officer, one private, one woman, and a citizen wounded; seven horses and two mules taken by the Indians. Indian loss unknown.

June 27. Major Joseph Smith, commanding Fort Stanton, reported the loss of part of his herd of horses and mules, stolen by Indians. An infantry company was sent in pursuit.

June 28. Lieutenant W. H. Higdon, Fifth Infantry, Cali-

fornia Volunteers, reported that on his way from Fort Stanton to Santa Fe, near Gallinas springs, he found the bodies of Privates Nicolas Quintana, of Company A, First New Mexico Volunteers, and John Hinckley, of Company A, Fifth California Volunteers, who had been murdered by the Indians. The Indians had evidently wounded Private Quintana, tied him to a stake and burned him. Some legal-tender notes and several letters were found near the body of Hinckley.

July 2. Lieutenant-Colonel Chaves reported that Captain Rafael Chacón, First New Mexico Volunteers, with twenty-two men, was sent in pursuit of a band of Indians who had stolen some horses and oxen from Fort Wingate. The oxen were recaptured near the post; the troops followed the trail of the Indians for three days and finally overtook them, when a sharp fight ensued. The Indians fought with great bravery, but were finally driven from their cover and fled. The conduct of Sergeant Antonio Jose Fresquez in this affair is highly spoken of by Captain Chacón. Indian loss unknown; troops, one private wounded.

July 4. Captain N. J. Pishon reported that, with twenty-seven men of his company, D, First Cavalry, California Volunteers, he pursued a party of eight Indians, who had driven off 104 government mules from Fort Craig, overtook them a few miles from the post, killed four Indians and recovered all the mules. Captain Jules L. Barbey, who accompanied the command, was shot through the wrist by an arrow. Privates Jackson and Bancroft were also slightly wounded.

Juuly 12. Captain A. H. French, First Cavalry, California Volunteers, with twenty-seven of his company, attacked and routed, near Fort Thorne, a band of Apache Indians, supposed to number sixty warriors. Indian loss, ten killed and four horses captured. Sergeant Walsh and Farriers Burns were wounded.

July 11. Sergeant E. W. Hoyt, of Company D, First Infantry, California Volunteers, with three men of Company B, and three men of Company D, First Infantry, California Volunteers, having in charge four wagons en route to Las

Cruces, was attacked by Indians in Cook's pass, forced to abandon three wagons and nineteen mules, and had four men slightly wounded. Four Indians are known to have been killed and a number wounded. Sergeant Hoyt acted with the greatest coolness in this affair.

July 19. Lieutenant Juan Marques, First New Mexico Volunteers, while returning from Horse Head crossing of the Pecos, with fifteen men of Company A, First New Mexico Volunteers, was attacked at the Rio Hondo by about fifty Indians, while in camp at that point. The Indians gained possession of the camp, but were finally driven across the river, carrying with them their wounded. They soon after recrossed the river, and charged on the herd, but were again driven back with loss. In this charge, Private José Chaves was killed. For several hours the fight was continued. The Indian force rapidly increased, and at last numbered some 200. The ammunition gave out and the soldiers were ordered to break their rifles and make their escape, which they did.

Lieutenant Marquez reports the conduct of the following named men as worthy of mention: Corporals Brigaloa and José G. Gonzales and Privates Santiago Torres, G. Romero, Antonio Archuleta, José D. Fresquez, and Jesus Lopez. All the public animals (including ten mules) were lost in this affair. Indian loss, six killed.

July 22. Captain F. P. Abreú, First New Mexico Volunteers, and Captain Emil Fritz, First Cavalry, California Volunteers, with a detachment of New Mexico volunteers, left Fort Stanton for the Rio Pecos to overtake and chastise the Indians who had attacked Lieutenant Marques.

After following the Indians for forty-five miles, Captain Fritz came upon their camp and captured two horses, six mules, and all the plunder of the camp. The Indians made their escape.

July 30. Lieutenant W. H. Higdon reported that on the 30th of July, en route from Fort Union to Fort Stanton, he saw about seventy-five Indians driving a large herd of sheep, judged to number 20,000. Believing his party too small to

attack so large a band of Indians, they were allowed to pass unmolested.

July 24. Lieutenant John Lambert, Fifth Infantry, California Volunteers, reported that the Indians attacked a detachment under his command in Cook's cañon; at the first fire Sergeant Hance, of Company H, Fifth Infantry, was wounded in his shoulder and hand; soon after, Private Queen, of Company F, was mortally wounded. Two wagons were abandoned to the Indians, also twelve mules. Private Queen died before the fight ended.

July 19. Lieutenant-Colonel McMullen's ambulance was attacked by Indians near Paraje and Assistant Surgeon E. S. Watson, and Private Johnson, Company G, both of First Infantry, California Volunteers, were killed. The escort killed two Indians and wounded others. Colonel McMullen's horse was captured by the Indians. Our loss, one commissioned officer and one private killed; one horse lost. Indian loss, three killed and wounded unknown.

August 4. Lieutenant B. Stevens, First New Mexico Volunteers, reported that when returning from Cuvero to Fort Wingate, he came upon a party of Navajo Indians, seven men and two boys, took them prisoners, and placed them in the guard-house at Fort Wingate.

August 6. M. Steck, superintendent of Indian affairs, reported that a portion of the Utes, Mohuaches, and Tabahuaches had killed nine Navajos and captured twenty-two horses.

August 6. Captain E. H. Bergman reported that a party of Company I, First New Mexico Volunteers, in charge of a herd of beef cattle, were attacked by a body of Navajos on the 22d of July, near Conchas spring. The party consisted of Sergeant José Lucero and Privates Juan F. Ortiz and José Barreras, who fought the Indians from 11 A. M. until after sundown, killing and wounding several of them. The Indians succeeded in killing Sergeant Lucero and Private Ortiz. Private Barreras, being severely wounded by eight arrow-shots, gathered up the muskets and pistols of his dead

comrades and threw them into the springs. The Indians fractured his skull with rocks and left him for dead, but he recovered towards morning and made his way to Chaparito. The Indians drove off the cattle; number not stated.

Captain Bergmann, learning that the Indians had driven off ten thousand sheep, mounted thirty men and endeavored to intercept them at the crossing of the Pecos. Corporal Martinez came close to their rear and succeeded in killing two and wounding several. The corporal destroyed their camp utensils and captured three beeves.

August 11. M. Steck, superintendent of Indian affairs, reported that the Utes had, during the last ten days, killed thirty Navajos, captured and brought in sixty children of both sexes, and captured thirty horses and two thousand sheep. On the 11th instant four Utes came in with three scalps and six captives. Total, thirty-three killed, sixty-six captured, and thirty horses and two thousand sheep taken.

August 19. Colonel Christopher Carson reported that he left camp near Cañon Bonito, August 5, 1863, on a scout for thirty days. On the first day out he sent Sergeant Romero with fifteen men after two Indians seen in the vicinity; captured one of their horses. The Indians made their escape. On the night of the 4th Captain Pfeiffer captured eleven women and children, besides a woman and child, the former of whom was killed in attempting to escape, and the latter accidentally. Captain Pfeiffer's party also captured two other children, one hundred sheep and goats, and one horse. The Utes captured in the same vicinity eighteen horses and two mules, and killed one Indian. Captain Pfeiffer wounded an Indian, but he escaped. On the 16th, a party who were sent for some pack-saddles, brought in one Indian woman. At this camp the brave Major Cummings, First New Mexico Volunteers, was shot through the abdomen by a concealed Indian and died instantly. One of the parties sent out from this camp captured an Indian woman. Total Indians killed, three; captured, fifteen; wounded, one; twenty horses, two mules,

and one hundred sheep and goats captured. Troops, one commissioned officer killed.

August 19. Captain Henry A. Greene, First Infantry, California Volunteers, having received information that a party of Indians with a large herd of sheep had crossed the Rio Grande on the morning of the 8th, mounted twenty men and started in pursuit, and after following their trail for nearly two hundred miles, came upon them and opened fire. The Indians fled, and the command recovered 1,600 to 1,800 sheep, and drove them to Fort Craig.

August 24. Captain W. Craig reported that a party of sixteen Indians attacked his herders near Fort Union, and drove off eighteen government mules.

August 27. Captain V. Drescher, First Infantry, California Volunteers, reported the horses and mules at Fort West were stampeded by Indians; animals not recovered, Indians not pursued. Twenty-six mules and one horse lost.

August 29. Captain Henry A. Greene, First Infantry, California Volunteers, reported that the Indians attacked the mail stage on the Jornada near the Point of Rocks, and captured seven mules. As soon as the information was received, fifteen mounted men were sent in pursuit, and nine men detailed to escort the stage through. The mounted party, on coming in view of the Rio Grande, saw three Indians on the bank; the balance of the band were back in the brush; the three Indians were fired upon; one of them fell, but recovered again. A part of the command under Lieutenant Fountain charged across the river; the Indians ran and concealed themselves. The party then dismounted and commenced to skirmish through the bushes. While on this duty Private George Dickey was mortally wounded by the only shot fired by the Indians during the affair. Dickey saw an Indian jump into the river and shot him; the Indian turned after being shot and gave Dickey the wound which caused his death. Indian loss, one killed, three wounded. Our loss, one private killed.

August —. Colonel Christopher Carson with his command left Pueblo Colorado on the 20th day of August for Cañon de

Chelly with the main force, secreting twenty-five men under Captain Pfeiffer in the cañon to watch for Indians. Soon after, two Indians were seen approaching the cañon and were fired upon, and although badly wounded succeeded in getting away. On the same day the advance guard pursued and killed an Indian. On the 31st the command returned to Fort Canby. Indian loss, one killed, two wounded.

August 27. Two Navajo Indian prisoners attempted to escape from the guard-house at Fort Defiance; one was killed by the guard and the other mortally wounded.

August 31. Lieutenant Colonel Chaves, commanding Fort Wingate, reported that a large party of Navajos attacked the escort to the wood wagons about five miles from the post, wounding Private Luciano Pais and driving off twelve mules. The Indians were pursued, but not overtaken. Our loss, one man wounded, twelve mules taken.

August 23. Captain R. Chacón, First Cavalry, New Mexico Volunteers, left Fort Wingate with forty enlisted men on a scout after Indians. On the 27th, when near the salt lakes, the party espied a band of Navajos, and succeeded in killing two and capturing eight. On the same day one of the Indians, in attempting to escape, was killed by the soldier who had him in charge. On the 28th the party attacked 150 Indians, who fled in all directions; the party here captured seven children and recovered a captive Mexican boy named Agapito Apodaca, killed three Indians, and captured 1,500 head of sheep and goats, seventeen head of horses, mules, burros, and colts. On this scout there were six Indians killed, fourteen captured, one Mexican boy rescued; 1,500 head of sheep, seventeen horses, mules, burros, and colts captured.

August 27. Captain T. T. Tidball, Fifth Infantry, California Volunteers, commanding Fort Bowie, reported that the Apache Indians ran off six horses and one mule from that post.

September 8. Captain Joseph P. Hargrave, First Infantry, California Volunteers, reported that he left Fort Wingate on the 22d of August on an expedition against the Navajos. On

the 26th of August he saw forty Indians on the Little Colorado; charged on them, but they fled before the troops got within gun-shot of them. At this place captured 500 head of sheep. On the 30th of August the mules belonging to the command (number unknown) were driven off by the Indians. A party of mounted men were sent in pursuit but failed to overtake them.

September 5. M. Steck, superintendent of Indian affairs, reported that a party of Utes had killed nine Navajos and captured forty children, and that the Pueblo Indians had killed a Navajo warrior, and that the governor of Jemez had killed one Navajo; Indian loss, eleven killed, forty captured.

September 5. Captain J. H. Whitlock, Fifth Infantry, California Volunteers, reported that he found an Indian camp, surprised it, and captured two mules, one Sharp's carbine, one United States blanket, and one thousand pounds of mescal; burned the camp, including all that pertained to it. On the 8th of September found Indians in force and had a spirited fight with them for fifteen minutes. One man and the guide severely wounded and one horse killed. Indian loss unknown. Our loss, one soldier and one citizen wounded, and one horse killed.

September 8. The Indians made an attack on Puertocito de Las Salinas. Three Mexicans who went in pursuit of them were killed.

September 26. Captain Henry A. Greene, the indefatigable, commanding Fort McRae, learning that a band of Indians with ten head of stock had crossed the Rio Grande near the Rio de los Alamosos, and that Corporal August with three men had gone in pursuit, immediately mounted eight men and started for the town of Alamosa; arriving at this point, eighteen mounted Mexicans joined his party. The whole party then traveled to Cañada Palomas crossing. At this point the stock was found, having been abandoned by the Indians.

Corporal August and Privates Daniel D. Tompkins, Alonzo C. Mullen, and William Lockhart are highly praised by Captain Greene for their zeal and energy on this occasion.

September 27. Lieutenant P. A. J. Russell, First Infantry, California Volunteers, with four mounted men and a party of Pueblo Indians, started from Valles Grandes on the trail of a band of Navajos who had stolen a lot of stock from the Pueblos. The trail was followed into the town of Jemez, where the party recaptured 125 head of sheep and two horses. Killed eight Navajos and took twenty women prisoners.

September 28. Baltasar Montaño, citizen, reported the result of a campaign against the Navajos, as follows: Two Indians killed, five wounded, eleven or twelve animals captured; two horses and one mule lost.

October 5. Colonel Carson reported that on the 22d of September his command pursued a party of Indians, but owing to the broken-down condition of his animals, they only succeeded in capturing one. On the 2d day of October discovered a small Indian village which had just been abandoned; this was destroyed, nineteen animals captured, seven of which got away. Three men left camp to hunt up the animals which had escaped; did not return until after the command had returned to Fort Canby. They stated that they were attacked by a party of Indians when within five miles of the post, one of whom they killed. One of the men, named Martin, was severely wounded and the Indians captured his mule. On the 3d day of October Lieutenant Postle discovered an Indian, pursued him and wounded him in three places; the lieutenant was slightly wounded by the Indian. Indian loss, one killed, one wounded, and one captured, twelve animals captured; our loss, one officer and one private wounded and one mule lost.

October 5. Ramon Luna, agent for the Pueblo Indians, reported that the Pueblos in a recent campaign against the Navajos killed twenty-two of them, captured fifty-one prisoners, 1,200 sheep and forty mules; some of the mules had the U. S. brand.

October 6. Major Edward B. Willis, First Infantry, California Volunteers, left Fort Wingate on the 15th day of September on an expedition against the Indians, with forty men

each of Company H, First Infantry, California Volunteers, and Company F, First New Mexico Volunteers. At the Cienega Amarilla the command captured one horse and one mule; at Jacob's Well found a few Indians and captured two of them. At this point found and destroyed several fields of pumpkins and watermelons. The command then returned to Fort Wingate. Major Willis in his report said: "I cannot speak in too high terms of the officers and men of this command; no men could be more anxious to do their duty or more cheerfully incur the hardships of a campaign; after a march of twenty-five or thirty miles, the whole command would cheerfully volunteer and march the whole night on the slightest prospect of doing any service." Two Indians, one horse, and one mule captured.

October 13. Two wagons which had been sent about a mile from Fort Canby for wood, in charge of a non-commissioned officer and five men, were attacked by the Indians, the escort and teamsters ran at the first fire, leaving the wagons and teams in possession of the Indians; ten mules were lost, two mules and the wagons were left. One of the soldiers, in his hurry to escape, left his musket at the wagons; the Indians carried it off.

October 15. The train of Miguel Romero, hay contractor, was attacked by Indians while on its way from hay camp to Fort Canby; the non-commissioned officer in charge of the escort was wounded and one teamster severely wounded. The Indians drove off five mules and one pony.

October 16. Lieutenant Thomas Henderson, First Cavalry, New Mexico Volunteers, reported that while en route from Fort Stanton to Santa Fe he met three Indians with a lot of mules, near the Buffalo spring. The Indians, on being discovered, abandoned nineteen mules and escaped.

October 18. Lieutenant Dowlin, First Cavalry, New Mexico Volunteers, reported that a party under his command killed two Indians near the Laguna Negra.

October 22. Captain Rafael Chacón, with his company, pur-

sued a band of Indians who had run off stock near Fort Wingate and captured from them two mules and two horses.

October 21. Lieutenant Nicholas Hodt, First New Mexico Volunteers, with forty men, left Fort Canby October 21st on a scout against the Indians. On the 22d saw a party of Indians who succeeded in escaping to the mountains; near Cañada Colorada the command captured one woman.

October 25. Lieutenant Charles H. Fitch, on an Indian scout, captured two horses and one mule.

October 31. Lieutenant E. Latimer, First Cavalry, California Volunteers, left Fort Union with a detachment of nine men for Fort Sumner, having in charge twenty-one Indian prisoners. On the night of October 4th, while encamped at the mouth of Gallinas river, sixteen of the Indians succeeded in making their escape. They were pursued but not recaptured.

November 9. A party of Mexicans passed through Fort Wingate on the 1st in pursuit of Indians. At the Sierra Negra the party had a fight with a band of Navajos; killed five and took sixteen prisoners. About two leagues from Sierra the party had another fight with the Indians; killed two and took two prisoners. At the Sierra de Chusca had a skirmish with the Indians and captured twenty-four prisoners, twenty horses and mules, and twenty-five sheep and goats. At Carriso springs the party came upon a band of Indians numbering from two to three hundred, with several thousand head of stock; the captain of the party, being fearful of losing his prisoners, allowed this band to pass unmolested. Indian loss, seven killed, prisoners, forty-two; twenty horses and mules and twenty-five sheep and goats captured.

November 4. Captain A. L. Anderson reported that while in camp on the Gila river near the Pinal mountains, the Indians crept to within range of his picket line and discharged several volleys of arrows at the animals, sentinels, and the men sleeping near. Four horses were so badly wounded that it became necessary to kill them. A squad of men was left concealed in the camp, and after the column had marched they

succeeded in killing one of a party of Indians who approached them. Indian loss, one killed; our loss, four horses killed.

November 5. Captain Henry A. Greene, commanding Fort McRae, reported that a band of Indians crossed the Rio Grande near the Rio Plumas, with several hundred sheep, on the 4th of November. As soon as the information was received at Fort McRae, Captain Greene mounted seven men and started for the point it was reported the Indians had crossed; arriving there he found that the men at the vidette station had already started in pursuit. Captain Greene took up the trail, and on the 5th overtook the men from the station. After traveling with them one hundred and fifty miles, Captain Greene returned to Fort McRae, leaving Sergeant Rhodes and Corporal August to follow the trail. On the 12th of November Sergeant Rhodes returned and reported that he overtook the Indians about two hundred and twenty-five miles from the Rio Grande, and after a sharp skirmish routed them and recovered 170 sheep. Private Atkinson was wounded by an arrow in this affair. The sergeant and the men who were with him are highly commended by Captain Greene. Indian loss, one killed and four wounded. Captain Greene states that the Indians could not have crossed the river with the sheep, within two miles of Lieutenant Whitemore's camp, had that officer used proper vigilance. Our loss, one private wounded.

November 5. Lieutenant Nicholas Hodt, First Cavalry, New Mexico Volunteers, left Fort Canby October 27th on a scout after Indians. Results of this scout, four government mules worn out and shot.

November —. E. Montoya, Brigadier-General New Mexico Militia, reported that Captain Tafolla overtook a party of Indians near the Sierra del Datil and took from them twenty-six head of cattle, four burros, and three horses.

November —. E. Montoya reported that his party attacked a band of Indians at the "Three Brothers" and recovered forty-two head of cattle. No Indians killed.

November 15. Colonel Carson with his command left Fort Canby for the country west of the Oribi villages, for the pur-

pose of chastising the Navajo Indians inhabiting that region. On the 16th a detachment, under Sergeant Andrés Herrera, overtook a small party of Indians, two of whom were killed and two wounded; fifty sheep and one horse were captured. Colonel Carson speaks in high terms of the zeal and energy displayed by Sergeant Herrera.

On the 25th the command captured one boy and seven horses and destroyed an encampment; on the same day captured one woman and one child, about 500 head of sheep and goats, seventy horses, and destroyed an Indian village. On the 3d of December surprised an Indian encampment, capturing one horse and four oxen. The Indians escaped. Indian loss, two killed, two wounded, three captured; 550 sheep and goats, nine horses, and four oxen captured.

November 27. Roman A. Baca reported that he left Cebolleta with a party of one hundred and sixteen mounted Mexicans and traveled in a northwesterly direction for six days; when about fifty miles from Chusca, on the sixth day out, the party encountered about two hundred Indians; killed six, and took three prisoners, who are now in the custody of Lieutenant Stevens; the party also captured three Indian ponies.

November 30. Lieutenant J. Laughlin, while en route from Fort Wingate to Los Pinos, on the night of November 30th surprised a party of six or seven Indians at the Rio Puerco; the Indians fled, leaving seventy head of cattle, which were taken to Los Pinos and turned over to the owner.

On the 4th of November ten head of cattle belonging to the command at Valles Grandes were driven off by the Indians.

On the 9th day of November, José Ignacio Valencia, in charge of a herd of sheep, had a fight with the Indians at Canoncitas of the Conchas. One Indian was killed.

December 1. Captain Henry A. Greene, First Infantry, California Volunteers, receiving information that a band of Indians had crossed the Jornada with 200 sheep, took seven men of his company and started on their trail. The party overtook the sheep on the summit of the Sierra Caballo, on

the east side of the Rio Grande. The sheep were taken to Fort McRae.

December 16. Major Henry D. Wallen, United States Seventh Infantry, commanding Fort Sumner, reported that on the morning of the 16th, Mr. Labadie and Reverend Mr. Fialon reported to him that a large number of Indians with an immense herd of sheep were at the Carretas. The officers and men of Company D, Fifth, and Company C, Seventh Infantry, were awakened and prepared to take the field with two days' rations; a lieutenant with eight mounted men of Company B, Second Cavalry, California Volunteers, was also got in readiness. Mr. Labadie, Mr. Fialon, and thirty Apache Indians also started in pursuit. The party left the post at 5:30 A. M. for the Carretas; the mounted men and Indian agent, with the Indians, outstripped the party on foot and took up the Navajo trail on the west bank of the Pecos river. At thirty-five miles northwest from Fort Sumner they overtook the Navajos, in number about one hundred and thirty, ten mounted, and twenty armed with rifles. A severe contest ensued, in which the Navajos lost twelve killed and left on the field, and a number killed and wounded who were carried off; one prisoner taken, all the sheep recovered, amounting to 5,259, thirteen burros, four rifles, one horse; their provisions, blankets, 150 pairs of moccasins, and nearly all the effects taken from Mr. Labadie's train.

Major Wallen calls the attention of the general commanding to the gallant conduct of Mr. Labadie, Privates Loser and Osier of Company B, Second Cavalry, California Volunteers, Ojo Blanco and Cadetta, the chiefs of Apaches, Alazan, an Apache, who was badly wounded, and the Apaches generally, who rendered signal service. Lieutenant Newbold with three men pursued the flying Navajos three miles beyond the scene of action, but owing to the exhausted condition of his animals was obliged to desist from further pursuit.

The Navajos, just before reaching the Pecos, were alarmed by some pistol shots discharged from a wagon train, and abandoned, 4,630 sheep, which were secured by the Mexicans

attached to the train. Lieutenant McDermott, with ten mounted men and six Apaches, was sent to collect the herd and bring it to the post. Before reaching the camp, Alazan, the Apache named above, died.

December 16. Thirty-five Navajo Indians were sent to Fort Sumner this day; this party gave themselves up at Fort Wingate as prisoners of war.

December 20. First Lieutenant D. Montoya, First Cavalry, New Mexico Volunteers, in accordance with instructions received from Colonel Carson, left Fort Canby in pursuit of a party of Navajo Indians. On the second day out marched through a heavy snow-storm. On the third day came upon an Indian encampment, attacked it, and succeeded in killing one Indian and capturing thirteen women and children, beside a lot of Navajo blankets, moccasins, etc.

Near the Pueblo Colorado the command pursued two Indians, man and woman, wounded the Indian and captured the woman.

Lieutenant Montoya recommends to the notice of the colonel commanding the good conduct and soldierly bearing of First Lieutenant C. M. Hubbell, and First Sergeant Antonio Mora, of Company C, First Cavalry, New Mexico Volunteers, who were severely wounded in the last affair. Corporal Marcos, of Company C, was particularly conspicuous on this scout; he was also wounded. Sergeant José Ortiz was also very active in pursuing and engaging the Indians.

December 7. Lieutenant Benjamin F. Stevens reported that he saw three Mexicans near Cebolleta, having three Indian captives in their possession; the whole party were taken prisoners by him. The Mexicans soon after made their escape. The captives were sent to Fort Sumner.

December 22. Captain John Thompson, First Cavalry, New Mexico Volunteers, left Fort Canby with one hundred men on a scout after Indians. On the 26th, at Mesa la Baca, sent out Sergeant Romero with thirty men, who came upon a party of Indians; killed one, and captured twelve. On the same day a party under Sergeant Dorsette discovered two In-

dians; wounded one, and captured the other. Indian loss, one killed, thirteen captives, and one wounded.

On the 6th of December the Navajos ran off some cows from the Pueblo Santa Ana; the Indians of the pueblo went in pursuit, recovered their stock, and killed two Navajos.

On the 11th of December José Maria Martin, with a party of Mexicans, went in pursuit of Navajos who had been stealing stock; the stock was recovered and two Indians killed.

On the 28th of December, the people of San Miguel and Pueblo overtook and surprised a party of Indians, and recovered a lot of cattle, and took the arms of the Indians.

The zeal and energy shown by the officers and soldiers, and the fortitude with which they encountered hunger, thirst, fatigue, and exposure in their pursuit of hostile Indians within the department during the year 1863 are deserving of the highest admiration. Not less is this due to those parties who were so unfortunate as not to overtake the Indians than to those who came up with them. All toiled and suffered alike. The gallantry which every one showed when there was an opportunity to close with the enemy, proves that that virtue among the troops in New Mexico was common to all.

The alacrity with which citizens of New Mexico took the field to pursue and encounter the Indians is worthy of all praise. Many of them were conspicuous for their courage, and all betrayed a settled determination to assist the military in their efforts to rid the country of the fierce and brutal robbers and murderers who for nearly two centuries brought poverty to its inhabitants, and mourning and desolation to nearly every hearth throughout the Territory.

THE RE-CONQUEST OF NEW MEXICO, 1692

EXTRACTS FROM THE JOURNAL OF GENERAL DON DIEGO DE VARGAS ZAPATA LUJAN PONCE DE LEON

For our holy faith and the Royal Crown the 16th of October 1692.

To the Most Worthy Señor
Rᵃ, L Mᵒ de Urᵃ
his Most Humble Servᵗ
D Diego de Vargas Zapata
Lujan Ponze de Leon

To the Honorable Señor Viceroy Count de Galvez:

On the sixteenth day of october of the present year sixteen hundred and ninety-two the copy of the campaign edicts directed to the work of reduction and conquest of this province of new Mexico was taken out by Diego Varela adjutant General of the forces of this said province; in witness whereof it is signed by me the said Govʳ and Captain General with the said Capt. Ensign and my civil and military secretary.

DEPARTURE OF THE POST WITH THE COPY OF THE PRECEDING EDICTS UP TO THE PRESENT DAY & DATE

D Diego de Vargas Zapata Lujan Ponze de Leon
Roque Madrid
Juan de Dios Luzero y Godoy

Before me:
Alphonso Rael de Aguilar
civil & military secy

On the said day october sixteenth of this date I the said Govʳ & Captain General having to go the town of los Pecos and to pass through the settlements of queres and xemes ordered the Captain of artillery, because of the bad road, to go around more than ten leagues past the Village of Santo Domingo with the two pieces of ordnance and the big bronze swivel gun and Jointly under his orders the friendly soldiers from El Paso del norte

DEPARTURE FROM THIS TOWN OF Stᴬ FEE OF THE CAPTAIN OF ARTILLERY WITH THE SOLDIERY FROM BEYOND IT

carrying along also the Captives who are leaving this province with their kinfolk for other parts and the Requisition of Supplies and I ordered likewise, that the Captain of the army reserve at Parral should give him two troops of horse of the said Company so that with the cavalry he could dispense with a convoy. With the said Captain of artillery I sent also a squadron of the company from the Fort at El Paso guiding the horse and mule train of the said people Which will be carried out also by the said Captain and in witness of the said departure with the aforesaid people of the abovementioned Captain of artillery I order him to go to the Village of Santo Domingo and when he has arrived there he will halt with the said people until I the said Govr and Captain Genl., with the other forces of the said Camp, shall reach the said Village; in witness whereof I sign this with the said captain of artillery and the said Captain Ensign of the Fort of El Paso together with my aforesaid civil and military secretary —

D Diego de Vargas Zapata Lujan Ponze de Leon
Roque Madrid
Juan de Dios Luzero y Godoy
franº Sucoro de [X] Godoy

Before me:
Alphonso Rael de Aguilar
civil & military secy

I THE SAID GOVR AND CAPT. GENL. NOMINATED, CHOSE AND APPOINTED DN LUIS THE PICURI AS GOVR OF THE TRIBES OF THIS PROVINCE

And furthermore I, the said Govr. and Captain General, in leaving this said town for the other tribes to reduce and conquer for the Royal Crown and our holy faith it becomes necessary for me to choose and name a Governor who will be obeyed by the already reduced and conquered [tribes?] as well as by those of the thirteen Villages, to wit; the said Towns of taos, picuries, teguas and tanos, over which I chose named and appointed as Governor Dn luis, the picuri, and, in the presence of the chiefs of the said people, gave him the patent of office, ordered to be dispatched by my civil & military secy., and also the bâton of his Office having previously received the oath in the name of our Lord and by the sign of the cross to fulfil his duty faithfully and legally according to which through the General interpreter I gave him to understand what he must do in the service of both Powers; [civil and religious] in witness whereof I sign this with

the said Interpreter and the captain Ensign of the post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonso Rael de Aguilar
civil & military secy

IMMEDIATE DEPARTURE FROM THIS TOWN OF SANTA FEE OF THE SAID GOVR & CAPT. GENL. FOR THE VILLAGE OF LOS PECOS WHICH WAS REACHED THE SAME DAY

Today Friday the seventeenth of the present month of october of this date and year sixteen hundred and ninety two I, the said Govr & Captain General, with the remainder of the soldiers of the two Companies, the military Chiefs and officers, the interpreter General and the two Reverend missionary Fathers, brother fran[cisco] Corveras, brother Christ[opher?] Alonso Barrose, together with my civil & military secretary, left this town of santa fee, the Capital [?] and Province of new Mexico, leaving in it and its Villages all the natives because they had not harvested their crops on account of bad weather which had prevented the Governor and Captain General of the tribes of the Pecos and queres and Xemes from going with me as intended and with the abovementioned I entered the said Village of los Pecos about two in the afternoon; all the people were awaiting me at the entrance to the village having received me with arches and there was placed at this entrance a large cross very well made and all welcomed me with a greeting [*alabado*] to which I responded with much pleasure, and the said people and those of my Company, all together, accompanied me with them to the Square of the quarter where I was at my first entry with these edicts, and, dismounted from my horse, I stood while the interpreter Peter Hidalgo gave them to understand my coming to be repeated in the other Villages and in the same manner I demanded confirmed and announced the said Possession in favor of his Majesty of the land of this said Village as well as of its inhabitants, his vassals, and I, the said Govr and Capt. Genl., asked the abovementioned Father, brother francis Corvera, to absolve them from their aforesaid apostasy. The which he had assisted by the said Rev. Father brother Christ[opher?] Alonso Barrosso and both the clergy baptized the adults and children who had not been already, I the said Govr. and Capt. General being godfather to a

son of the Captain they obey, as I was likewise to many others, as were the soldiers aforesaid; when the Rev. Fathers had concluded they counted the Baptized of all ages and both sexes at two hundred and forty eight adults and children, the said natives being much pleased as was I, the said Govr & Captain Genl., at having succeeded in reducing and conquering them by means of the labors I performed and urged as these edicts attest. In witness of all which and of the said entry I signed with the said interpreter, the Captain Ensign of the Post, and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Pedro Hydalgo
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

THE SAID NATIVES OF PECOS TOLD THE INTERPRETER TO ASK ME TO APPOINT A GOVERNOR & OTHER OFFICIALS FOR THEM AS THE SPANIARDS WERE ACCUSTOMED TO DO WHEN THEY CAME

Today Saturday, the eighteenth of this present month of october as dated the interpreter, Pedro Hidalgo, told me that the Old and republican natives of this said Village of Los Pecos had all told him that they wanted me to appoint persons to hold office among them as was the custom when the Spaniards came and in the said manner they asked me if I would allow them to name them and for this purpose I, the said Govr and Capt. Genl., ordered him to call them all together with the other natives, and they being gathered, I said to them, through the said Interpreter, that they should elect any Indians according to their wish to serve as Governor, lieutenant [Govr.] a judge, a constable, two collectors (*fiscales*) [?] and two military Captains, which they did, presenting them to me, and I administered the oath to them, which they took to keep and fulfil the obligation of their positions and by the said interpreter I gave them detailed orders as to the highest service of Both Powers and the abovementioned Rev. Father administered the oath to the two collectors (*fiscales*) [?] nominated and elected for the said holy Church, and those nominated and elected in the said manner were left in possession of their offices most happy as they gave us to understand; in witness whereof I signed with the

said Interpreter, the Captain Ensign of the Post, and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Pedro Hydalgo
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

Today the said Saturday eighteenth of the present month of october, as dated, it having been snowing and raining until two in the afternoon, notwithstanding the bad weather, I, the said Govr. & Capt. General, left the said village of los pecos at about three in the afternoon with the said soldiers following me and the Rev. missionary Fathers having taken leave of the said natives and repeated to them that they should pray and live like Christians; Which they promised me to do and I left contented as were the said people in that they were submissive and quiet in their Village and I arrived in galisteo about nine o'clock at night, which I saw to be deserted and its houses in ruins, although they retained the greater part of their walls. The distance of the said march was six Leagues of bad Road where I passed the night with the said people; in witness whereof I signed with the said Captain Ensign of the post and my civil & military secretary.

DEPARTURE FROM THE VILLAGE OF LOS PECOS AND ENTRY INTO THAT OF GALISTEO

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

Today Sunday the nineteenth I, the said Govr & Capt. Genl., after having heard mass at the said Camp, departed from this Village of galisteo and at a distance of three Long Leagues entered the Village of San Marcos and found it uninhabited, having only some rooms and Walls of the quarters and lodgings and also the walls and and Nave of the Church in good condition with those of the Convent,

ENTRY INTO THE VILLAGE OF SAN MARCO & DEPARTURE AT BREAK OF DAY

and Thereupon I went on at once with the said Camp to the Village of Santo Domingo which is a distance of seven to eight Leagues and there I found the Captain of artillery and the soldiers of his escort with the Supplies and the Captives who had set out with their kinfolk whom I ordered out from the said Town Friday the sixteenth of the present month as the edicts witness, and, in witness of my having arrived and joined with the said Camp, I sign with the said Capt. Ensign and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day the said Sunday I, the said Govr. & Capt. Genl., having arrived at this Village of Santo Domingo, found there a queres Indian who as these edicts attest I dispatched from the Village of los Pecos on the 26th of September of this Year and date with a small Cross and a Rosary to be carried and given to Antonio Malacate, Captain & Chief of the queres Indians, who went from the Village of Zia and who live in Santa Ana; he to whom I gave it was sick and sent me in his place the educated Indian, the Singer, who was of the said Village and knows how to read and write and is called Francisco, who told me that the said Captain was ill, that he was waiting till I should be there with said people; that they were pleased at my coming and the letter and the Pardon of which I told them in it and that in order to assure them more fully that I had sent and put a rosary about his neck and ordered this to be done together with A Cross that I commanded to be made for the queres tribe living in Cieneguilla, on the other side of the sierra, the Villages of cochiti and San Phelipe being on one side of them, and in order that he might tell their Chiefs to come with him to me and that I should go with them to said sierra and the point where their Village lies I or-

THE SAID GOVR. & CAPT. GENL. FINDS AQUERES INDIAN WHO ON FRIDAY THE 26TH OF SEPT. OF THIS YEAR AS WITNESSED IN THE EDICTS HE SENT FROM THE VILLAGE OF LOS PECOS WITH THE SMALL CROSS AND A ROSARY TO ANTONIO MALACATE CHIEF OF THE QUERES TRIBE LIVING IN THE VILLAGE OF SANTA ANA WHO WENT FROM ZIA & IN COMPANY WITH THIS INDIAN COMES FRANCISCO THE SINGER

dered the said Indian to go in his Company and with him another of the same Band called Bartholo who is of the same tribe; in witness of the said business and the good effect of the preceding I signed with the said Captain Ensign and my civil and military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

ARRIVAL OF THE INDIAN FRANCISCO THE SINGER WHO CARRIED THE LETTER TO THE QUERES OF CIENEGUILLA BEYOND

This day Monday the twentieth of october the present month as dated at about the hour of five in the afternoon the abovementioned Indian francisco, the Singer, arrived whom I, the said Govr. & Capt. Genl., had dispatched as narrated yesterday, Sunday, with instructions to the Indians of his queres tribe, who live at cieneguilla and the mesa of the sierra near the Village of cochiti, and he told me that their Chiefs accompanied him to me and through the Indian Bartholillo aforesaid I talked to four Captains and to the principal man among them whom they obey and consider their Chief who they told me was called Juan, and I feasted them all, embraced and shook hands with them and ordered them to return to their Village and tell all their people to be assured of my good feeling that I had only come to see and get Acquainted with them in order to pardon them and they must again become Christians, and many other similar arguments to satisfy them and that they might expect me in their said Village, and I gave him [the Chief] a rosary which I hung about his neck and they left much pleased with having seen me; in witness whereof I sign with the said Captain Ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

This day Tuesday the twenty first of the present month of october

as dated I, the said Governor & Captain Genl., considering the approach and situation of cieneguilla as being difficult and a bad road by the direct route set out to continue the journey some soldiers going as escort with the Inhabitants, some prisoners and some Indians to El Paso del norte.

ARRIVAL AT CIENEGUILLA VILLAGE OF THE QUERES THE SAID GOVR. & CAPT. GENL IS HINDERED BY THE BAD ROAD & DIFFICULTY OF CARRYING THE SUPPLIES, ARTILLERY, CAVALRY & OTHER TRAINS OF THE CAPTIVES & SENDS ORDERS TO THE CAPT. OF ARTILLERY TO GO ON & ALSO TO THE SERGEANT MAJOR OF THE SAID POST

I ordered the Captain of artillery with the said people and the pieces under his charge and the sergeant major that they should wait at the place of the abandoned Farm which belonged to Christobal de Anaya, and having thus arranged the said departure from this Village of Santo Domingo I, the said Govr. & Capt. Genl., set our from it with five squadrons of the two Companies and, having passed the Village of cochiti at a distance of three leagues, went along its sierra and mesa and saw upon it the most of the people of the said Village at a distance of three more Leagues and at the entrance of the said mesa the said queres Indians had placed a large Cross and their arches and at the distance of a musket-shot stood all the crowd of men and women of the said Village whom I received with all kindness and they saluted me with the Greeting, and having gone on to the Square of the said Village, which has three lodges [*quarteles*] and another of large extent [?] and in it a house was provided for me, which I postponed entering until after having announced my coming in the said Square, the whole of the said people being gathered together, and at the same time the said Possession in favor of his Majesty being announced and ratified they were given to understand his Royal Will, as was done in the other preceding Villages, and likewise the said Father brother francisco Corvera in company with the other Reverend Fathers gave them absolution and proceeded to Baptize the adults and children who had not been before and I, the said Govr. & Capt. Genl., was godfather to a son of the Captain to whom the name Carlos was given, in memory of the King our master (whom God preserve) as I was also to many others, as were the soldiers, and there were found to be one hundred and three grown persons and children of all ages and the said Indians

THOSE BAPTIZED ARE 103 PERSONS OF ALL AGES AND BOTH SEXES

were much pleased and being asked how many Villages they came from and why they had retired to that rugged mountainous ridge they said they came from the three Villages of Cochiti, San Marcos and San Phelipe and their having gone out to inhabit that spot, leaving the said three Villages, was on account of their fear of the ambuscades of their enemies the teguas, tanos and Picuries, whom the Spaniards by their coming would succeed in putting down, which I assured them would be done soon; and at midday, having left them all very happy, I and the said people having feasted on tortillas and other things of their providing, and in witness of this said visit I sign with the said Capt. Ensign and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

ENTRY INTO THE VILLAGE OF COCHITI ON THE RETURN FROM THE QUERES OF CIENEGUILLA

This the said day Tuesday twenty first of the present month of october as dated I, said Govr. & Capt. Genl., went from the said point of Cieneguilla with the said Force to sleep at this Village of cochiti the distance being three Long Leagues; In witness whereof I sign this with the said Captain Ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy

ARRIVAL AT THE DESERTED FARM OF CHRISTOBAL DE ANAYA WHERE THEY UNITED WITH SAID TROOPS

This day Wednesday twenty second of the present month of october as dated I, said Govr. & Capt. Genl., arrived with the said Force at this ruined and abandoned farm of Christobal de Anaya. I found here the Sergeant major and Captain of Artillery with the soldiers and the rest of the Troops in conformity to my orders at the village of Santo Domingo yester-

day attested: in witness whereof I sign this with the said Captain Ensign of the Post and my secy. civil & military and the aforesaid distance is seven Leagues.

D Diego de Vargas Zapata Lujan Ponze de Leon
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy.

ORDERS GIVEN BY THE SAID GOVR. & CAPT. GENL. TO THE SAID SERGEANT MAJOR & CAPT. OF THE ARTILLERY

This day Thursday the twenty third of the present month of october as dated I, the said Govr. & Capt. General, the way being clear to where the queres tribes from the deserted villages of Santo Domingo and Zia and the one from xemes live, ordered the said sergeant major and Captain of artillery to go as an escort with two squadrons of the troops from el Parral and from the aforesaid Post of El Paso, taking with them the Friendly [Indians], the Prisoners and the tired Horses with the Provisions, and that in one body they should, in two days journey, descend to the place and farm of Mexia to join the Captain of the Campaign whom I left at that point on the tenth day of September last of this present year as dated where they shall halt until such time as I said Governor and Capt. Genl. shall return from the reduction and conquest of the said tribes, please Our Lord. In witness whereof, I sign this with the said Capt. Ensign and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:
Alphonsso Rael de Aguilar
civil & military secy

ENTRY INTO THE DESERTED VILLAGE OF ZIA OF THE QUERES TRIBE

This aforesaid Thursday the twenty third of the present month of october, as dated, I, said Govr. & Capt. Genl., arrived at this village of Zia with the troops, which consist of five squadrons and the Officers of the two Companies and fifty Indians, and we find the said village in ruins as it was destroyed by Genl. Don Domingo Jironza [?] Petriz de Cruzate, my predecessor and in said Village a

soldier found a great bell buried, and by my orders Capt. Roque Madrid, of the Post of El Paso, reburied it until such time as his Majesty, whom God preserve, shall please; we halted and spent the night at this village, the distance being from seven to eight leagues; In witness whereof, I sign this with the said Captain Ensign of the Post and my secretary civil & military.

A SOLDIER FINDS A BELL BURIED WHICH SAID GOVR. & CAPT. GENL. ORDERS CAPT. ROQUE MADRID OF EL PASO TO LEAVE BURIED

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Before me: Roque Madrid
Alphonsso Rael de Aguilar
civil & military secy.

This day Friday, the twenty fourth of the present month of october, as dated, I, said Govr. & Capt. Genl., came into this village of the queres of Zia, who live on the mesa of the Red Hill, at a distance of four Leagues, the ascent to which is very narrow and difficult to find, and, as soon as the said Indians descried me and my Troops, they came down to the lower mesa to receive me. When I had ascended I found most of them had placed arches and crosses following the message I had sent them and the letter to their Captain and the Chief whom they obey, Antonio Malacate. He with other Captains and Old Men received me with all reverence; they all had crosses in their hands and in most of the houses of the quarters of the said Square, where they had provided a reception room for me on the ground floor, the populace of the said village standing in the said Square, while the Indian, Bartholo, performed the duties of interpreter told of my coming and took possession in the name of his Majesty in the same manner as in the other villages and the aforesaid Reverend Fathers absolved and baptized; as has been said I, said Govr. & Capt. Genl., being godfather to a son of the abovementioned Antonio Malacate, to whom the name of Carlos was given and to many of them, in remembrance of our lord the King, whom God preserve, as I advised their Fathers to name them so, and there are known to have been baptized

ENTRY AMONG THE QUERES TRIBE FROM ZIA WHO LIVE IN THE VILLAGE ON THE MESA OF RED HILL [*zerro Colorrado*]

THOSE BAPTIZED ARE 123 PERSONS MEN AND WOMEN OF ALL AGES

of all ages, male and female, one hundred and twenty three: after which I told them to return and inhabit their said Village since the walls were strong and good and the Church still has its Nave and Choir in good condition and all they needed was timber which I told them they could cut this coming moon, and they said they had nothing to cut it with, and I told them that if they went there and had most of the people at the aforesaid place at Mexia, that I would give them a new [out fit?] so that they should have something with which to cut the said timbers for the church and convent; that I did not ask them to make a house for me, but only the church and the convent for the Fathers that they might take possession and remain. In doing this they are apparently happy and content with their dances and military parades; and, in witness that said Village is reduced and conquered to the glory of both Powers, I sign this with the said Captain Ensign of the Post and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Before me: Roque Madrid
Alphonsso Rael de Aguilar

SAID CAPT. ANTONIO MALACATTE WHO IS BECOMING OLD & INFIRM ASKED THAT A NEW CAPT. & GOVR. BE APPOINTED FOR SAID NATIVES

Whereupon, I, the said Govr. & Capt. Genl., saw at once that his petition was justified, he being unable to exercise and fulfil the said position in the presence of my self and witnesses and with the assistance of my civil & military secretary the said Old Men & natives of said queres tribe assembled at this place & mesa of Red Hill named to me for nomination & election a tall good-looking Indian who, being asked his name, said he was called Christobal and, through the interpreter Bartholo, I had him take Oath to administer his office well, giving him to understand by orders the strict care he must take to hold the said natives and conditions to the best service of Both Powers, which, with the greatest respect, he promised to obey in all things and to carry out whatever he was ordered: In witness whereof, I sign this with the said Capt. Ensign and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Before me: Roque Madrid
Alphonsso Rael de Aguilar
civil & military secy.

As soon as the above appointment of the said Govr. was accomplished I took leave of the said natives whom I again commanded to come down from the said mesa and live in their own town of Zia which they promised to do, and I went on to sleep in view of the Old Village of the Xemes, which is abandoned, which march is about two Long Leagues: in witness whereof I sign this with the said Captain Ensign of the Fort and my civil & military secretary.

SAID GOVR. & CAPT. GENL. GOES ON TO SLEEP IN SIGHT OF THE OLD VILLAGE OF THE XEMES

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

This day Saturday the twenty fifth of the present month of october, as dated, I, the said Govr. & Capt. Genl., went on to the Village of the Xemes and halted on the high mesas one they deserted; the ascent is very at a distance of three Leagues from the bad and at the entrance to this hill there came out to meet me more than three hundred Indians with bows and arrows, leaving also on the mesa and hillock where they live more than two hundred, all armed; the one as well as the other set up a great shout as is their custom in war and ambuscades and fights; in the same way they mingled with the five squadrons of soldiers as well as the thirty or forty Indian warriors of the tribe that came from el Paso del Norte and throwing dirt in their eyes and making all those demonstrations they use in fighting, and Captain Roque Madrid telling them to keep quiet, they replied that it was a sign of rejoicing at my coming and in this manner I went on, the said people among my followers, and with them reached the said hill and above on the said mesa I saw many people and all the notice they took was to stand with arms in readiness which did not fail to bring to memory though casually the information attested by the Indians of Taos the day of their entry under our jurisdiction of the Council which they had held in which these said natives of Xemes were the actors and, concealing my thoughts, I went on about a musket-shot to where I found the Captain and Governor of them, called Sebastian, standing

ENTRY ON THE MESA OF THE VILLAGE OF THE XEMES

waiting for me at the entrance of the arch with a cross in his hand and also some five other Chiefs and Old Men of the said Village, and seeing me they fell upon their knees to receive me, and I dismounted in honor of the Holy Cross they held and saluted them all with a greeting and shook hands and they embraced me, and I went on to the Square of their said Village which I entered, followed by my people and those of the said Village, which I saw has two squares with four lodges, in each one which have just been garrisoned and enclosed, one of them having an entrance passing to the other, and in this manner, and little to my Liking, I found myself on foot in the midst of the said Crowd which seemed suspicious—some had not laid down their arms, others had whips and others were arming for a great war dance and I observed after a little that their Captain Sebastian no longer had the said Holy Cross in his hand nor had the other Old Men who accompanied him, and I saw from their faces that they were troubled in spite of all I could do; I felt so because of having come in with so small a number of followers; I said not a word and gave no sign by which they might see that I feared them and knew their evil design and so I ordered as in the other Villages that the women youths and all the multitude that the said Village might contain should come out although the greater number had come to receive me and at this [time] only the said number of armed Indians were present nevertheless after a long time they descended and came out from the said lodges, though a small number compared with the large body of said Indians, these having come they had no more according to what they replied to me their Captains having ordered them to lay down their arms on the ground the greater number placed them at their feet, and I told them of my coming through an educated Indian of the said Village, a war Captain, called Francisco in the Xemes language, and who among the Queres Indians of the Village of Santo Domingo was the beforementioned Indian, Bartholo, and having proclaimed and reaffirmed the Royal Possession of his Majesty (whom God preserve) in this land as well as in these people who are his Vassals even more suurely, I told them that they were his and no other's and if they were not good and loyal they would not be safe anywhere; that his power was great, with other arguments to convince them that what I said was true, and this [I did] walking among them, and having concluded the said Reverend Fathers gave them absolution in the same manner as in the other Villages, and went on to Baptize the infants and other persons who had not been. I was only godfather to some In-

dian Maidens and Widows lest they give me occasion to break war and [*sic*] friendship: the number Baptized was one hundred and seventeen, of all ages and both sexes, and at the end they asked me to come up and dine in a large hall, and that they might not suspect any wrong motive in what I had done or should do to them, I went up and they gave me food and to the said Fathers with the greatest politeness in every way and to the officers and army chiefs; afterwards I went out and several Apaches who had gone into the said house promised obedience and on its gallery I talked to them, telling them that the next year I should return, if our Lord God preserved my Life; that they should tell those of their tribe and race [?] that if they were not Christians I did not desire their friendship; that what I told them would be for their good; and they replied that they were satisfied and I inferred from the said Apaches, lodged in the said house and many others in those on the second square, that ——— the story of the Taos about the abovementioned Council was true, and having taken leave of them, I told them to go down and live in their own said Village which they had deserted; that I expected to pass in front of it that night and that they should get for me a few provisions that I had paid them for, corn and mutton, and they should remain to do it the following morning, and I set out, giving thanks to God for the happy issue of the reduction and conquest of the said natives, going on to sleep at the said place in front of their abovementioned deserted Village, having travelled, going and coming, six Long Leagues; in witness of the aforesaid, I sign this with the said Captain Ensign of the Post and my civil & military secretary.

THOSE BAPTIZED ARE 117 PERSONS OF BOTH SEXES

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Before me: Roque Madrid
Alphonsso Rael de Aguilar
civil & military secy.

This day Sunday after mass, the twenty sixth of the present month of october, as dated, they brought me the abovementioned provisions, although there was but little on account of the short time, nevertheless I value it because of the acknowledgment and obedience; and I regaled those who brought them and sent presents to all and proceeded to sleep at this Place of

ENTRY INTO THE VILLAGE OF SANTA ANA

Santa Ana, uninhabited, which march was seven Long Leagues; in witness whereof I sign this with the said Captain Ensign and my civil & military secretary:

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

SAID GOVR. & CAPT. GENL. ARRIVES AT THE PASS OF MEXIA WHERE HE JOINS THE SAID FORCE & SERGEANT MAJOR

This day Monday, the twenty seventh of this month of october, as dated, I, the said Govr. & Capt. Genl., arrived at this abandoned farm of Mexia, which I left on the tenth of last September, of this present year as dated to stock up with Provisions and strengthen the cavalry. I found all the said force and the horses in their charge had arrived safely and the head guard appointed to this post had had good fortune. To attest my having joined here all this said Force and having marched eight Long Leagues, I sign this with the said Captain Ensign and my civil & military secretary.

D Diego de Vargas Zapata Lujan Ponze de Leon
Juan de Dios Luzero y Godoy
Roque Madrid

Before me:

Alphonsso Rael de Aguilar
civil & military secy.

EDITORIAL—COMMUNICATIONS—NOTES

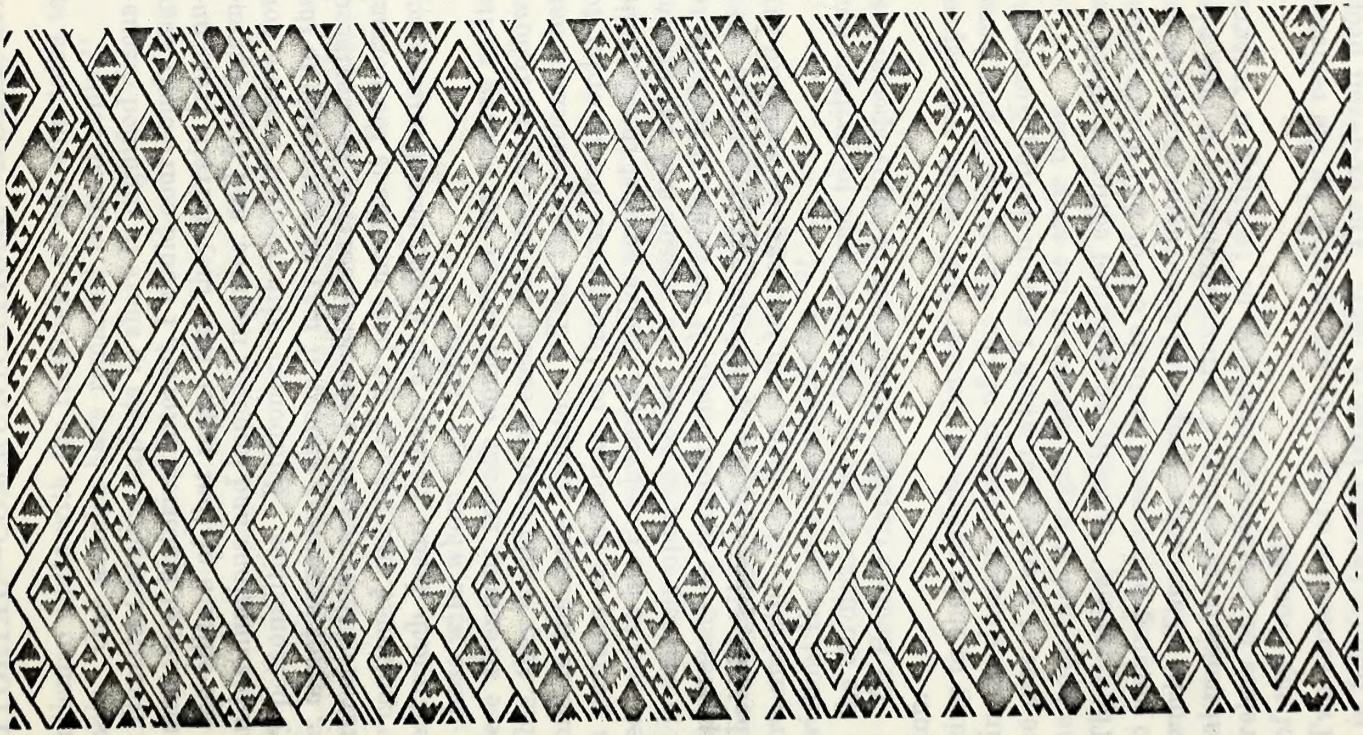
REV. LANSING BARTLETT BLOOM REPLIES TO HIS CRITICS

Nothing in the field of literature is more difficult than pure criticism. I think it was William Mathews, educator and essayist, who said: "It is easy to write an average literary criticism, especially of the fulsome, laudatory, or savage cut-and-thrust kind, which we find in many American journals. For such a purpose little preparation is required; you have only to cut the leaves of the book to be reviewed, and then smell of the knife."

Another has said: "There are some honest men who are critics; there is even such a thing as fair criticism. There are many who try to be just; there are more who are amiable . . . but criticism is by far too polemical. Leaving its purely literary sphere, we see it striking into divers controversies which have nothing to do with the question at issue, and which narrow the minds of men to one-sided views of things, and blind them even to their own blindness."

The seat of judgment is in the heart rather than in the head; the faculty of judgment is limited or entirely lacking, and to such a critic, regard for facts as such, even to the modifying of present opinions and beliefs, is simply inconceivable.

The course followed by the representatives of the two Orders of Jesus and Saint Francis during the past six months bears a humorous resemblance to that of Sancho Panza when he was "praying to God and hammering away." I quote from *La Revista Catolica* of February 8th: "If that Reverend is not seeking notoriety anything but enviable, we do not know what he is seeking. Since October 26th, 1913, we have gone on showing up in a series of articles the theological absurdities, the historical falsehoods, the crazy opinions which



PREHISTORIC WEAVING — BLANKET DESIGN

Stencil Textural Design

that gentleman emits with the freshness of one who talks to mere fools. Our articles have remained without reply."

If *La Revista Catolica* expects to share in dignified discussion of matters of historical interest, I would courteously suggest to the editors of that paper that they refrain from unchristian insinuations and imputed motives, and from ungentlemanly personalities. Buffoonery with another's name, for example, is not argument, though it may be acceptable to the less cultured of their readers. I should be sorry to be convinced that the continued rudeness of the past months is the normal treatment which Jesuit Fathers and Franciscan Brothers accord to those with whom they differ.

If these strenuous friends would accept my writing at its face value, they would have no excuse for such as the following, found in the same *Revista*: "That that gentleman has taken a position as historian on Old Santa Fe in order to give free vent to his Presbyterian dislike against the Catholic Church is scarcely open to doubt. In season and out of season, opportunely or inopportunely, if he thinks it possible to aim a shot at frailes, curates, or bishops, off he goes, an utter braggart, and zip! 'Let them such that egg, he seems to say to us, without the least squeamishness.' "

Does the cardinal virtue of justice extend to written language? *La Revista Catolica* would seem to enjoy special dispensation.

Turning to their article of October 26th, which was reproduced in the January number of Old Santa Fe, I give herewith the gist of a statement which I sent in during November with the hope that it might appear at the same time.

1. The "review" is really an unsigned editorial which relates to nothing but a mere footnote out of full ninety pages of my work. This limited scope and the evident animus of the editorial make it unworthy of serious attention; as does also the careless or intentional omission or twisting of integral parts of my thought.

2. Two sentences of my note are ignored by the reviewer almost *in toto* (v. October issue, p. 138). The ex-Jesuit prop-

erties in Sonora (v. Bancroft, xvii, 375-6) were very largely dissipated within two years of their seizure (1767-9). My inference, therefore, that in no part of Mexico was there any property to be returned to the Jesuits in 1814, is less wild than *La Revista* would have us think.

3. The reviewer states that in 1814, four aged Jesuits were "the remains of the suppressed Society." He says that in 1815 the Mexican Province (of Jesuits) was revived, but he fails to state the number of Jesuits in Mexico *between 1814 and 1823.*

4. *La Revista* states that the Jesuits had no "hospitals," nor were their houses called "convents." The Washington manuscript was quoted correctly in my note, nevertheless. Possibly the explanation of the seeming contradiction would be found in the use which the Franciscans had made of the funds turned over to them in 1769. This would tend to show that the inventory of 1823 was of properties remaining from 1769, as *La Revista* maintains; but the query arises: If four Jesuits in 1814 were the remains of 678 Jesuits in 1767, of what holdings in 1767 were 1,091,00 *pesos* worth the remains in 1823?

5. I admit that I might have made my thought clearer in this note but even as it stands, "from such a Province as New Mexico," does not mean from that particular Province. Footnotes in general are secondary to the text, explanatory, illustrative. The two documents used for the note under discussion could, by themselves, only suggest the general situation throughout Mexico and the policy of the Church as a whole.

I quote from Rives, *The United States and Mexico, 1821-1848*, i, 65-6: "The suppression of the Inquisition was by no means the only modification in ecclesiastical matters which the revolutions in Spain and Mexico brought about, although in the latter country the changes effected were extensive rather than radical. The wealth and numbers of the clergy were reduced, but the legal situation and the moral influence of the Church of Rome were not, at first, seriously affected.

"Under the government of the Catholic Kings the church establishment in New Spain had so prospered that at the be-

ginning of the nineteenth century there were probably not less than ten thousand of the clergy, divided equally between the regular and secular bodies, who enjoyed revenues from tithes, fees for masses, and other sources, amounting to several million dollars a year. They also administered an immense property in the numerous cathedrals, churches, and convents scattered throughout the settled districts. Besides the ecclesiastical buildings, they held large amounts of productive real estate, and a variety of trust funds, aggregating upward of forty million dollars, mainly invested in mortgages (Humboldt, *Essai Politique*, ii, 474-6.) It was estimated that, either through direct ownership or by way of mortgage, the Church controlled two-thirds of the land in the kingdom (Romero, *Mexico*, 340.) In addition to the clergy, there were lay brothers, servitors, and nuns whose numbers brought the estimated total of those 'in religion' up to thirteen or fourteen thousand."

In the excerpt from Fray Zephyrin's article as printed also in the January issue of Old Santa Fe, the writer shows that California had some Bibles previous to 1846, and reasons by analogy that the New Mexico Franciscans also had copies. Direct evidence may turn up, but I have not found it yet.

My showing that the Bible was withheld from the people of New Mexico was not met by Fray Zephyrin. The latest history of California states: "The report that there were several copies of the Bible 'in common language' in California led Prefect Sarria (1813-1830) to take as great pains to suppress that book as he did to prohibit Voltaire and the *escandalissimo* waltz." (Norton, *The Story of California*, 152.)

And as to New Mexico, *La Revista Catolica* practically acknowledges my correctness in this matter. In its issue of January 18th, under the protesting headline "The Bible! The Bible!" we read: "In the purposes of God the Bible was not nor is it a book for the *reading* of every vermin that lives; it is and was the book of profound priestly *study*." The article is unsigned, but stands first in the editorial section.

Lansing B. Bloom.

Alburquerque, New Mexico, March 4, 1914.

GENERAL LEW WALLACE AND THE "BEN HUR ROOM" IN THE PALACE OF THE GOVERNORS

General Lew Wallace occupied the position of governor of New Mexico from 1878 to 1881. If his reputation as a great American rested solely upon that fact or his official acts as executive, it would be far from secure.

However, General Wallace wrote *Ben Hur*; he wrote a portion of the book during his incumbency as governor of New Mexico; he has acknowledged that he wrote a portion of the book while living in the Palace of the Governors. It does not follow, however, that any particular room or spot in the Palace should be designated or pointed out as "the room where *Ben Hur* was written." In all probability General Wallace "wrote" *Ben Hur* in every room in the old palace which he was in the habit of using or frequenting. Writers of fiction do not select some special spot for composing purposes. The immediate successor of Governor Wallace knew nothing of any particular room where this great story or any portion of it was created. In truth it was subsequent to the administration of Governor Sheldon that the so-called "traditional" room where *Ben Hur* was written came to be pointed out to tourists and sight-seers. A picture of the room as it appeared during the administration of Governor Prince may be found in his collection of interior views of the Old Palace.

It has only been of very recent years that any doubt existed as to the "exact spot" where the work was concluded. The location of this "room" and the discussion in regard to it has brought forth many statements and opinions. Something had to be done by the curators of the museum to satisfy the sight-seeing American as to the location of the "Ben Hur Room." In the process of restoration of the old building it was declared that the "room" had been obliterated. Maybe so. It soon became evident that such a "room" must be identified in order to satisfy the public. That important factor in the success of every tourist city demanded the fact, although not more than one in a thousand knew that the author of *Ben Hur* had been governor of New Mexico.

At last the "Ben Hur Room" has been definitely located. A letter from Prof. J. P. Harrington, of the staff of the School of American Archaeology, recites:

When the School of American Archaeology was established in the old Palace of the Governors in 1908, a "Ben Hur Room" was found to be inextricably interwoven with the life and legends of the place. It seems that Governor Lew Wallace, while governor of New Mexico in 1879-1881, had lived in the Palace and had written a portion of his famous novel, *Ben Hur*, within its historic walls. Just as a piece of folklore or an abstract myth becomes localized and definite, so a certain room in the Old Palace had been fixed upon by tradition as the one in which *A Tale of the Christ* was penned. And this room, determined in a haphazard manner, had been given an amount of publicity that was simply appalling.

Inextricably interwoven, it did not take any employe of the school or museum long to find that out. Funny, indeed, were the experiences of some of the employes who were called upon to pilot visitors about the Palace. It simply would not do to tell the visitors that *Ben Hur* was composed in this building, presumably in various parts of it, especially if they were from Missouri. The fact was that the room had become a veritable shrine, a rival to any relics described in Mark Twain's *Innocents Abroad*. If there were no Ben Hur room, these visitors would demand that one be at once created. All the beautiful things of the museum are passed by with hardly a glance by these shrine pilgrims. A whole pueblo of live cliff-dwellers would not deflect them. It is the Ben Hur room that they have come to see, and they are going to see. Where is it? When they ask for bread, would you give them a stone? It is cold comfort to tell them that *Ben Hur* was written in various parts of the palace. But how they enthuse when you tell them that this room or that room is the one. "Let me put my feet on the spot," says one. "I am going to sit here and meditate," says another. Or one wants to write a post-card in the supposed room. This is all right if it were the room, but it isn't. I recall how late one afternoon I came upon an Englishman standing in the dusk in one of the front rooms of the building. "Ah, am I in the Ben Hur room?" he said with dramatic accent. But a lady from Dallas, Texas, to whom I once showed the sacred site, capped the climax. She almost went into ecstasies. "So I am really in the room where Ben Hur wrote Lew Wallace," she exclaimed, rolling up her eyes.

Rather than to have these good people a prey to such illusions, an

attempt was made to thoroughly investigate the subject in the hope of discovering the true Ben Hur room. The room in the Warlburg castle, where Martin Luther pursued his literary activity, is marked by the famous ink spot on the wall. In the basement of the cathedral at Odenses, Denmark, the murderer of King Canute kindly left blood-stains to identify the scene of his crime and they are pointed out to this day. But General Wallace left no mark or stain whereby the Ben Hur room can be recognized. His only testimony is a letter written in 1890 and in possession of the Historical Society of New Mexico, in which the Ben Hur room is described as a "bed-room back of the executive office proper." Apparently simple. But old Santa Feans and acquaintances of Wallace give strangely contradictory evidence as to which room was the executive office at the time of Wallace's administration. And what is worse, there were two bed-rooms back of the room which is most likely to have been the office.

Now at last, after years of patient endeavor to locate the room, new material which may solve the problem has just been discovered. It is a plan of the Old Palace telling the purpose for which each room was used during Governor Ross's administration, 1885-1889. This plan is in the possession of my sister-in-law, Mrs. R. E. Harrington. It was drawn by her brother, Mr. Arthur Ross, while he was living at the Palace and acting as secretary to his father, the governor. According to Mr. and Mrs. Arthur Ross, the Ben Hur room was used by Governor Ross and wife as their bed-room—the room adjoining the "traditional" Ben Hur room on the west. This room was situated where the western end of the "Rito de los Frijoles" room now is, while the "traditional" Ben Hur room lay at the eastern end of the present "Rito de los Frijoles" room. A door connected the Ross bed-chamber with the large room in front, next to the corridor, which was used by Governor Ross as a sitting-room. The "traditional" Ben Hur room was used by the Ross family as a spare bed-chamber for guests. The Rosses occupied the Palace only four years after General Wallace's residence there, and the writer fully believes that this evidence is conclusive as regards the location of the Ben Hur room. During the Ross administration the executive office was the room (on the front side of the building) just west of the second corridor from the west end of the building.

HOMELY VIRTUES OF THE SPANISH-AMERICANS

This paper, hurriedly prepared, is the very imperfect fulfillment of a long-cherished desire to give facts, rather than

flights of the imagination, about the Spanish-speaking people of New Mexico and some of their most pronounced characteristics. This paper, therefore, trenches on no other work of its kind. It merely moves into an unoccupied place—a place of its own.

We speak a language, the English, in which, I regret to say, it has been for so many years the fashion of many to write in ridicule of the Spanish-Americans of New Mexico, and to give so little credit, or no credit at all, to the work that their ancestors and the Catholic pioneers did for civilization in these parts, that I have often felt the want of a conscientious writer who would take up this subject and discuss it in the press with the idea in mind to displace fiction and put in its place a genuine and conservative narrative of facts.

The Provincia de Nuevo Mexico under the Spanish government, or the Departamento of New Mexico under the Mexican government, seems to have been the least cared for by those governments. Whatever may have been their lack of reasons or reasons for such neglect, it cannot be denied that no great effort was ever made by either of them to develop the natural resources of this Territory or better its condition; and the scant development and amelioration it received was due chiefly to the self-sacrificing spirit, zeal and devotion of the Catholic missionaries who came to this far-off land in those primitive times. All honor and glory to their memory!

The most striking general trait of our ancestors was, and even now is, as the most sceptical have been forced to admit, their hearty hospitality; born of the greatest of virtues, charity and love, hospitality has ever been the basis of their lives and has molded and formed their character.

In those good old times very few people had any of the conveniences then enjoyed by the other peoples of the world, and, as matter of course, none of those which are now possessed. Their comforts were very meager, their troubles many and great, and the vast majority lacked even the most common necessaries of life. Yet they lived in contentment, despite all these privations. Why? Because they had an unfailing faith in God's Providence, and because this very faith inspired

them with a strength of courage in their worst trials and hardships and became so deeply rooted in their hearts, that it found expression not only in their actions, but even in their daily conversation. "*Donde todo falta Dios asiste*," "*Donde Dios asiste nada falta*," and many other kindred sayings, which have come down to us from them, show unquestionably their unfaltering trust in the God of their fathers. The fear of the Lord was with them, another powerful motive in directing their actions and from it sprang that sterling and peerless honesty which they practiced in every circumstance and condition of life. This honesty was not the virtue of the few, but was the common characteristic of all and their general rule of conduct.

Of course, there were exceptions; where is the rule without? To show this, hundreds of instances could be adduced. A man's word was as good as his bond. It very often happened, when an individual needed money, or anything else, that he was not required to undergo the ordeal and formality of signing a note or mortgaging all of his property, and, to cap the climax to look all over his community for from two to ten securities upon his paper. All that was required was to send his servant to his neighbor who he knew could furnish him the amount needed and ask for it. The amount would be at once forthcoming without further ceremony, whether that amount was one hundred, one thousand, or even ten thousand dollars; and the money was always returned with equal promptness and good will.

If we now enter the sanctuary of the New Mexican home, we shall find, all the falsehoods and slanders of their detractors to the contrary, that if any homes have ever deserved that holy appelation those homes were certainly theirs. There the authority of the father first and then of the mother was the supreme rule. From the decision of either, in family matters, there was no appeal. The brothers, the sisters, the servants —all respected that authority, rendered obedience, and cheerfully submitted, because from the very first moments when the light of reason began to dawn upon them they were taught to revere and venerate parental authority as one of God's man-

dates. Hence it was that quarrels among children or wrangles among servants were rare indeed. Order reigned in the homes. All lived and worked in harmony for the common welfare and in this way domestic tranquility was always secured.

The first words of a father on awaking at dawn of day were, "*Bendita y alabada sea para siempre la Santissima Trinidad,*" to which all responded "Amen." Then followed the morning prayers, and, after breakfast they all betook themselves to their daily work with glad hearts and cheerful souls. The day's work lasted from sunrise to sunset, interrupted only by an hour or a little more of rest for the noon meal, after which work was resumed until sundown, when all again gathered around the home board to enjoy their frugal evening repast. They then retired to rest for the night, not, however, before they all had, on bended knees, joined in thanks to God for his favors during the day, and implored His blessings on their sleep for the night.

In the spring, summer, and fall months, their work consisted mainly of the planting, cultivating, and raising of their crops; and it must be said, to their credit, that, though destitute of all the improved agricultural machinery of the present day, they could and did raise, by means of their primitive tools, far better and more abundant harvests, proportionately, than we do now with all our boasted superior implements of modern invention.

The winter months were passed in homely quietude. Hardly any kind of work was done then; but the monotony and dreariness of the season were quite relieved by social intercourse and amusements, the latter consisting chiefly of bailies and other guileless sports and enjoyments.

The respect and obedience paid to parents by their children has already been noted. We must add here that such veneration extended also to elder brothers, elderly people, and all persons who, on account of their dignity, were their superiors. Even the old servants shared with parents this tribute of deference from children, and hence sprang, between all the persons that composed a family, so close and strong an attachment of affection that such homes seemed a foretaste of heaven.

The relations between neighbors were also very cordial. They respected and helped each other and taught their children so to honor and obey the neighbors that, when asked by them to do anything for them, they were strictly enjoined to do it, even if they had thereby to postpone the execution of the paternal mandate, and any disrespect to such persons insured the offender a severe punishment at home. So strong was this bond of fellowship that to it may be attributed their success in permanently remaining on this soil. Had it not been for this, it is very doubtful if they could have lived here, surrounded as they were by innumerable tribes of savages, as wild and fierce as they were cunning and unsparing. Happily, that bond was never broken, nor weakened, and to it, more than anything else is due the salvation of this Sunshine State to civilization.

A great deal more might be added here about our old folks; a detailed account belongs more properly to a regular history. We hope, however, that what has been said may be enough to show, at least in part, the fact that our ancestors, far from being an indifferent, care-for-nothing, indolent class of people, as their detractors have so often falsely asserted, were, on the contrary, taking them all in all, men and women of uncommon energy, courage, and endurance—men and women of high ideals, noble purposes, and generous sentiments.

ANTONIO LUCERO.

CREATING THE NATIONAL PARK OF THE CLIFF CITIES

This is the picturesque title of a bill introduced in the Senate by Hon. Thomas Benton Catron. The proposed enactment has for its object the permanent preservation of the ruins of the cliff dwellings and ancient communal settlements of the ancestors of the Pueblos in a large portion of central New Mexico.

Much of the area included in this proposed park has been taken up by homesteaders, or is included in old Spanish or Mexican land grants. A great part is adjacent to the Rio

Grande; and so it is that the proposed bill cannot create a park in the sense in which the Yellowstone is regarded.

The bill, however, can and will serve to protect and preserve what still remains of the dwellings of the pre-historic period in this section of the United States. The bill can hardly meet with opposition and its passage at an early day is expected.

El Palacio, published monthly by the Archaeological Society of New Mexico, seeks primarily to arouse interest in the prehistoric remains of the Southwest and thus to strengthen the movement for their scientific study and preservation. Incidentally it records the activities of the School of American Archaeology, embracing as they do the entire western continent, and chronicles the work of the Museum of New Mexico in the field of archaeology and art. It fills a place heretofore unoccupied and is already of service in preserving folklore, printing reminiscences of old-timers which ordinarily would go unrecorded and yet are real contributions to the history of the Southwest, and in conveying to a constantly growing circle of readers succinct knowledge of the work of archaeologists of the two Americas, including, as it does, the intensely interesting results of recent excavations in Peru, Guatemala, Yucatan, Mexico, and the Southwest, and comparing them with similar research in the classic domain that borders on the Mediteranean, as well as in the far Orient.

El Palacio is not a scientific publication, but it seeks to popularize a science that is as interesting as it is practical and withal fundamental to all culture.

Published at Santa Fe, the center of a region rich in archaeological monuments and historic associations and issued from the Palace of the Governors, which houses not only the School of American Archaeology but also the Museum of New Mexico and the collections of the New Mexico Historical Society, with their libraries and laboratories, it draws its inspiration and its message from the very sources of archaeological and historic knowledge.

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El Palacio is illustrated and is sent free to all members of the School of American Archaeology.

PASSING OF CAPTAIN CANDELARIO MARTINEZ

Captain Candelario Martinez, of Santa Fe, departed this life at Santa Fe, March 3, 1914. He was born in Santa Fe on the 2d day of February, 1845, and was educated at St. Michael's College. At eighteen years of age he enlisted in Company A, First New Mexico Volunteer Infantry; was made first duty sergeant; also sergeant major of the regiment, and within five months after his enlistment was commissioned second lieutenant Company B, same regiment and when only twenty years of age was commissioned first lieutenant and captain by brevet for meritorious services in recapturing the United States mail which had been stolen by the Kiowa Indians and Comanche Indians on the Great Plains. He was shot in the forehead in a conflict with Indians and later received serious wounds in a battle with the Apaches of southern Arizona.

At the close of the Civil War he read law and was admitted to the bar at Santa Fe. He also married at that time Miss Ortiz, connected with the leading families of the Territory. Captain Martinez was a stanch Democrat and served as probate judge of Santa Fe county, as justice of the peace, and in other official capacities, including postmaster at Santa Fe. He was a member of Carleton Post, G. A. R. For many years he lived on a ranch at the mouth of the Santa Fe cañyon and was the owner of the celebrated Aztec mineral springs. Daily he was accustomed to walk to town from his ranch, a distance of eight miles. His wife and two adopted sons survive him.

PASSING OF DON DEMETRIO PEREZ

One of New Mexico's most distinguished citizens, Don Demetrio Perez, passed away at his home in Las Vegas, New Mexico, December 3, 1913. He was born in Santa Fe December 22, 1836, the son of Colonel Albino Perez and Trinidad Trujillo Perez. He was educated in Santa Fe and entered

upon his business career in the capacity of clerk in the office of the secretary of the Territory, a position which he held for several years, and while thus engaged acquired a wide knowledge of the people and of the country.

In 1861 he was appointed by Governor Connelly auditor of public accounts, in which office he served until 1863, when he resigned to take a position with William Chick and Company of Kansas City, Missouri. After a year had passed Mr. Perez returned to Santa Fe as mercantile agent for Don Ambrosio Armijo. In 1866 he removed to Las Vegas and was bookkeeper for the firm of Trinidad Romero and Brother, acting in that capacity for several years, when he resigned to enter the employ of Chick, Browne and Company at their mercantile establishment at Kit Carson, Colorado.

For five years Don Demetrio remained with that company and in 1887 began merchandising on his own account at San Antonio, New Mexico. There he carried on an extensive business. During his early life Don Demetrio saw much of slavery and oppression and became filled with great abhorrence for everything of that nature. He was a member of the Republican party from the time of its organization. He served as probate clerk and recorder of San Miguel county for five years and also served as county commissioner for two years. In 1889 he served as a member of the constitutional convention. In 1891, he was appointed territorial auditor by Governor L. B. Prince, a position which he filled with signal ability.

Don Demetrio was a man of refinement, ability, and high moral integrity. He was among the last survivors of stormier days in the history of New Mexico, when the qualifications possessed by him threw him into prominence. His passing will be mourned by old-timers in all parts of the State.

THE PASSING OF LUCIUS K. M'GAFFEY

Lucius K. McGaffey was born September 28, 1864, at Lyndon, Vermont, son of Stephen R. and Katherine (Memis) McGaffey; died January 8, 1914, aged fifty years; educated in the public schools of Lyndon, graduating from St. Johns-

bury (Vt.) Academy in 1882; employed in banking and telegraphy at Lyndon. He came to New Mexico in 1884, locating at Los Lunas, Valencia country, where he engaged in cattle raising until 1892, in which year he moved to Roswell, engaging in insurance and real estate. His business connections included large lumber interests, serving as director of the First National Bank, as one of the organizers of the Roswell Gas Company, of the Roswell Building & Loan Association, of the Roswell Printing Company, and the Pecos Valley Lumber Company. He served as postmaster of Roswell from 1893 to 1898, was a delegate to the Democratic national convention in 1894, a member of the Roswell board of education for many years, was chairman of the board of town trustees before Roswell was incorporated as a city, and was vice-president of the New Mexico board of immigration. He was married May 28, 1911, to Miss Luella Hann, of Denton, Texas. He was a member of the Benevolent and Protective Order of Elks.

Mr. McGaffey is survived by his mother, Mrs. Kate McGaffey, his wife, Mrs. Luella Hann McGaffey, and one brother, A. B. McGaffey, of Alburquerque.

STATEMENT OF OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., OF OLD SANTA FE MAGAZINE

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E. B. BURTON.

Sworn to and subscribed before me this 20th day of December, 1913.

FRANK J. LAVAN, Notary Public.

(My commission expires Sept. 19, 1914)

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ERRATA

Page 237, line 2, *read* it could have had.
line 7, and in note, *read* exposición.
note 168, *read* A communication of Deputy Alarid, dated June 25, 1824, which he addressed to the "Most.
247, line 3, *for* Bro. *read* Pro. (Presbyter).
248, line 17, *read* Evangelio.
256, note 217, *for* it embodied *read* is embodied.
258, note 222, *for* Estatutes *read* Estatutos.
264, line 6, *for* unknown to Governor, *read* unknown, Governor.
276, line 6, *read* Company of Bado *with following document.*
280, note 272, *read* also Part I, chap. vi. Twitchell,
note 274, *for* Pueblo *read* Puebla.
282, erase San Miguel del Vado *in list of ayuntamientos.*

INDEX

A través los siglos, cited, notes 7, 8, 11
Abiquiú, 13, 29, 31; ayuntamiento, 150, 356, 366
Abreú, Marcelino, 348, 350, 359
Abreú, Don Ramon, 264, note 239, 247, 359
Abreú, Don Santiago, 160; deputy, 241, note 176, 242, note 177; alcalde, 242, note 179, 247, note 283, 248, 355, 364
Acoma, Benedict's opinion, 75-83
Administrador de Alcábalas, 252, note 206, 253
Administrador de Correos, 252
Administrador Principal de Correos, 14
Agriculture, table, Pino, 37, 38
Aguas Calientes, 285
Alamo, rancho, 22
Alarid, José Rafael, 164, note 140, 167, note 147, 237, 242, note 178
Albo, deputy, 149, 164
Alburquerque, census, 29; schools, 238; comptroller, 238; schools, 249, 350
Alcaldías, 44, 45
Alcina, Fr. Teodoro, 258, note 221
Almazan, Francisco, 1692, 289
Alvarez, Fr. Sebastian, 248
Allies, Indian fund, 240
American Archaeology, school of, 224
Anglo-Americans, 262, 263
Apaches, 11, 13, 23; tribes, 24; range of, 24, 351, 352, note 297, 355
Arbítrios, 273
Archaeological Institute of America, 224
Archives, statehood plan, 279
Arizona, 5
Arkansas, river, 20, note 22
Armendariz, Pedro, 142
Armijo, Ambrosio, 354
Armijo, Manuel, 29, 45, 162; alternate deputy, 168; jefe politico, 256, note 215; Spanish Religious, 258, note 221; famine, 259; actions of, 264; resignation, 266, note 242
Armijo, Nestor, 359, note 311
Austin, Stephen, quoted, 250
Ayuntamientos, 44, 150, 151 note 111; taxes, 157-159, 161, 162, 238, 240; Santa Fe, dispute, 264; statehood, 279, 282, note 274

Baca, Don Bartolomé, 46; suplente, 149; governor, 166; retires, 174, 236, 237, 239, 242, 244, note 181; tithes, 273, 349
Baca, Francisco, postmaster, 173
Baca, José Francisco, 168; statehood plan, 278
Baca y Ortiz, Francisco, 264
Bado, 352
Baltimore, Lord, 139
Balverde, 13; rancho, 22
Bancroft, H. H., cited, 9, note I, 26, note 36, quoted, cited, 30, note 45, cited, 31, note 48, cited, 33, notes 54-55, cited, 36, note 58, cited, notes 59, 61, quoted, 40, cited, church, 137, note 92, note 285, cited, note 297, 367, note 328
Bandelier, A. F., population of Pueblos, 26
Barreiro, *Ojeada*, quoted 12, cited note 11; quoted 17, note 17; quoted, 19, 20, 21; quoted, cited, 254, 255, note 214; lawyer, 271, cited, note 273; quoted 282, 283, note 275; 287, note 282; 354, 359, 364; printing press, 365, notes 322, 323
Bartlett, J. R., *Personal Narrative*, cited, note 60
Beaver pelts, 284
Beard, James, 173
Becknell, Capt. William, 39; journey west of Santa Fe, 171
Belen, 31
Benavides, Fr., classification of Pueblos, 25, cited, note 37; quoted, 31
Benedict, Kirby, portrait, 2; biography, 50-92; Sandoval case, 56-75; De la O case, 75-82; Martin death sentence, 83, 84; politics, 85-88; habits, 88
Benton, Thomas H., 172
Bent, Charles, governor, assassinated, Taos rebellion, 180, note 5, 181, 182; caravan, 352, note 296
Bent's Fort, 207, 208
Ben Hur, room, 440-442
Bible, 138, 439
Bishopric, 131, 133, 247, 269, 284, 287, notes 281 282
Blackmar, F. W., *Spanish Institutions of Southwest*, quoted, 25
Blankets, 36
Bloom, Lansing Bartlett, 3, 336-342, 345-368, 436-439

INDEX

Abad y Lasierra, Don Manuel, 7, 8, 11
Abiquiú, 12, 29, 31; aprehensión, 180, 266, 268
Abreu, Marcelino, 348, 350, 359
Abreu, Don Ramon, 284, note 299, 347, 359
Abreu, Don Santiago, 180; deputy, 241, note 178, 242, note 177; acalde, 242, note 179, 247, note 252, 348, 356, 364
Acoma, Benedict's opinion, 75-83
Administrador de Alcabalas, 222, note 200, 233
Administrador de Correos, 222
Administrador Principal de Correos, 14
Agriculture, table, Pino, 37, 38
Agua Caliente, 252
Aguan, rancho, 22
Abad, José Rafael, 184, note 140, 187, note 147, 237, 242, note 178
Alba, deputy, 180, 184
Alburquerque, census, 29; schools, 238; comptroller, 238; schools, 240, 250
Alcaldes, 44, 45
Alden, F., Theodore, 238, note 221
Almazan, Francisco, 1803, 250
Alvarez, Fr. Sebastian, 242
Allen, Indian fund, 240
American Archaeology, school of, 224
Anglo-Americans, 202, 208
Apaches, 11, 12, 23; tribes, 24; range of, 24, 221, 222, note 207, 252
Arbitrios, 272
Archaeological Institute of America, 224
Archives, scattered plan, 270
Arizona, 5
Arkansas, river, 20, note 22
Armendariz, Pedro, 142
Armijo, Ambrosio, 354
Armijo, Manuel, 22, 45, 182; alternate deputy, 198; jefe político, 202, note 215; Spanish Religious, 238, note 221; famine, 239; actions of, 284; resignation, 206, note 242
Armijo, Nestor, 359, note 311
Arnaz, Stephen, quoted, 230
Ayuntamiento, 44, 180, 181 note 111; duties, 187-189, 191, 192, 238, 240; Santa Fe, dispute, 284; statehood, 279, 282, note 274

Baca, Don Bartolomé, 46; explorer, 149; governor, 198; retires, 174, 236, 237, 239, 242, 243, 244, note 181; tribes, 272, 349
Baca, Francisco, governor, 172
Baca, José Francisco, 168; surveyed plan, 278
Baca y Ortiz, Francisco, 264
Bado, 222
Baltimore, Lord, 139
Balverde, 13; rancho, 22
Bancroft, H. H., cited, 9, note 7, 28, note 28, quoted, cited, 30, note 40, cited, 31, note 42, cited, 33, notes 54-55, cited, 36, note 58, quoted, 40, cited, dances, 187, note 82, note 222, cited, note 207, 267, note 222
Bandelier, A. F., population of Pueblos, 26
Barreiro, Ojeada, quoted 12, cited note 11; quoted 17, note 17; quoted, 19, 20, 21; quoted, cited, 224, 226, note 214; lawyer, 271, cited, note 272; quoted 283, 284, note 278; 287, note 282, note 284, 322, 323, 324, 329, 334; printing press, 365, notes 325, 328
Bartlett, J. R., Personal Narrative, cited, note 60
Beaver pelts, 264
Beard, Teresa, 173
Beckwith, Capt. William, 39; journey west of Santa Fe, 171
Belen, 31
Benavides, Fr., description of Pueblos, 32, cited, note 37; quoted, 43
Benedict, Elsie, portrait, 3; biography, 26-32; Bandelier, cited, 26-27; Da 13; O case, 77-82; Martin death sentence, 82, 84; politics, 83-88, battle, 89
Benton, Thomas H., 172
Bent, Charles, governor, assassinated, 182; Texas rebellion, 180, note 3, 181, 182; caravan, 222, note 206
Bent's Fort, 207, 208
Ben Hur, room, 310-312
Bible, 128, 129
Bisbeyric, 121, 122, 247, 260, 264, 327, notes 281, 282
Blackmar, F. W., Spanish Institutions of Southwest, quoted, 20
Blanchard, 36
Bloom, Lansing, Bartlett, 3, 220-242, 245-248, 170-259

Bloom, Maude McFie, *Hist. of Mes. Valley*, cited, 13, note 15
Bonaparte, Joseph, 47
Bonavia, 135
Bracito, grant, 13, note 13, 162
Bradburn, James D., 262, 263
Bravo, Nicolas, 160
Breeden, William, 91, 92
Brocchus, Perry E., 91, 92
Bryan, R. W. D., biography, portrait, 99, 100
Buffaloes, killed annually, 284
Burton, E. B., *Taos Rebellion*, 176-209; Indian Conflicts, 386-419
Bustamante, vice-president of Mexico, 269, 354

Caballero, José Maria, comandante económico, 257, note 219, 367
Cabeza de Vaca, shot, 261
Cabeza de Vaca, Juan Antonio, 354, note 299, 366, note 324
Cadaudachos, 12
Cadiz, 47
Californias, 3, 4, 5, 13; population, 1839, 30, note 45, 285; trade with, 276; Norton, history, 439
Calle, *Noticias*, cited, note 1, 9
Campbell, Richard, 277, note 268
Cañada, census, 29
Caníbaros, lakes, 12
Captives, customs, 31, 32
Caravans, 39, 251; Bent, 276, 352, 353
Carleton, Gen. J. H., 85; Mescalero and Navajo campaigns, 386-419
Carroll, Prof. Mitchell, 223
Carson, Col. Kit, Navajo and Mescalero campaigns, 386-419; forces, 388, 389
Carson, Mrs. Kit, 182, note 6
Carson, Moses B., 253, note 210
Carujo, Juan José, 358
Castaño de Sosa, pueblos, 1590, 25, 26
Castro, Fr. José de, 258, note 221
Catron, Thomas Benton, 446
Cayguas, 25
Census, 29, 30, 36, 154
Chaco, Fr. Antonio, 258, note 221
Chacón, Fernando, population, 30, note 45
Chacon, 358
Chair, governor's, 256, note 216
Charles IV, 47
Chautauqua, Mountainair, 224
Chavez, Francisco Xavier, 149; gefe politico, 154, 155, note 121, 161, 163, 244, note 181
Chavez, José Antonio, 254; deputy, 263, note 236, 266, note 243
Chavez, J. Francisco, 389; command, officers list, 389
Chavez, Mariano, Jefe, 367, note 328
Chihuahua, 11, 12, 13, 38; fair, 39; trade with, 40, 41; capital 167; state, 168, 351
Chile, rancho, 22
Chitttenden, *Fur Trade*, cited note 2, 9; cited 39, note 64, 251, note 201, 203, 254, note 213, cited note 264
Chouteau, 38; imprisonment of, 369
Church, 49; description of, 131; Pino's statement, 131-133; Franciscans, 134; Christian life, 134, 135; fees, income, 136, 137; freemasonry, 257; conservatism of, 257; Durango synod, 268, 269, in 1832, 280
Ciénega, rancho, 22
Cliff Cities, National Park, bill, 446-447
Climate, 21
Coahuila, 11, 13, 251
Colonies, 139
Colonization, Texas, 152, note 115, 162, note 136; Bradburn, 262, 263
Colorado, river, 5
Colleges, 247, 248
College of Religious, 131, 132, 247
Comanches, 24; trade, 39; peace, 46, note 79; allies, 170
Comision de Poderes, 155
Commandant of Arms 244, 352
Constitution, 1812, 47, 48
Constituent Congress, new, decree, 164
Cooley, A. W., biography, 228, 230
Cooper, Stephen, 39
Copper Mine, 259
Corbett, J. W., 224
Cordoba, Treaty of, 140
Cortes, 47-49
Cortez, Hernando, 139
Council Bluffs, 169; expedition to, 170
Courts, circuit, established, 259; new court urged, 271, note 257
Crespusculo, El, 366
Customs Houses, 40; duties, imposts, 242, 243, 253, note 210; tariff, 259, 266, 285

Davis, W. W. H., *Spanish Conquest of New Mexico*, cited, 34, note 57; *El Gringo*, quoted, 281, note 272
De la O, Benedict's opinion, 75-83
De Munn, Julius, 38, 39; imprisonment of, 369-385
Departments, 4, 5
Deputies, Serrano, salary, etc., 151, note 113
De Vargas, General Don Diego, Zapata Lujan Ponce de Leon, coat of arms, 227; picture, 235; re-conquest, 169, 288-307; inscription El Morro, 289; captives to El Paso, 288, 289, 290;

Bloom, Lansing B., Bibl. of Arch. Publ. 1, cited, 13, note 15
Bonaparte, Joseph, 47
Bonavia, 133
Brazito, grant, 13, note 13, 182
Bradbury, James D., 282, 292
Bravo, Nicolas, 100
Breedon, William, 91, 92
Brocchus, Perry E., 91, 92
Bryan, R. W. D., biography, portrait, 99, 100
Bullaloes, killed annually, 284
Burton, E. B., Taos Rebellion, 178-209; Indian Conflicts, 386-419
Butterworth, vice-president of Mexico, 289, 334

Caballero, José María, commandante economico, 287, note 219, 307
Cabeza de Vaca, chief, 281
Cabeza de Vaca, Juan Antonio, 324, note 299, 386, note 324
Cadaudachos, 12
Cadiz, 47
California, 3, 4, 5, 13; population, 1829, 30, note 42, 285; trade with, 278; Norton, history, 439
Calle, Victoria, cited, note 1, 9
Campbell, Richard, 277, note 262
Canada, cession, 29
Canalboros, Lakes, 12
Capitan, customs, 31, 33
Caravans, 29, 281; Bent, 278, 302, 323
Carleton, Gen. J. H., 85; Mercelero and Navajo campaigns, 386-419
Carroll, Prof. Mitchell, 293
Carson, Col. Kit, Navajo and Mescalero campaigns, 386-419; forces, 388, 389
Carson, Mrs Kit, 122, note 6
Carson, Moses D., 223, note 210
Carvajo, Juan José, 333
Castaño de Sosa, pueblos, 1590, 29, 30
Castro, Fr. José de, 226, note 221
Catron, Thomas Benton, 444
Cayzuse, 25
Cebora, 29, 30, 184
Chaco, Fr. Antonio, 223, note 221
Chacón, Fernando, population, 30, note 45
Chanon, 333
Chair, governor's, 224, note 216
Charles IV, 47
Chatelaupue, Mountainair, 294
Chavez, Francisco Xavier, 149; early public, 154, 155, note 121, 161, 244, note 181
Chavez, José Antonio, 224; deputy, 293, note 236, 266, note 243
Chavez, J. Francisco, 333; command, officers list, 389
Chaves, Mariano, Jefe, 361, note 333
Chihuahua, 11, 12, 28; trade with, 40, 41; capital 167; route, 183, 331
Chile, rancho, 22
Christianson, Fay Trask, cited note 2, 9; cited 39, note 84, 231, note 221, 252, 254, note 212, cited note 254
Chusteson, 38; improvement of, 333
Church, 49; discussion of, 181; Pino's statement, 181-183; Franciscans, 134; Christian era, 134, 135; free, secure, 136, 137; Protestantism, 227; treaty, 227; Durango synod, 288, 289, in 1826, 290
Chuska, rancho, 23
Civil Code, National Part, bill, 446-447
Climate, 21
Coahuila, 11, 12, 221
Colorado, 120
Comanches, Texas, 122, note 119, 162, note 120; Bandeiras, 282, 284
Comercio, rifle, 7
College of Zacatecas, 121, 182, 247
Commerce, 24, trade, 29; prices, 46, note 10; cities, 170
Comisión de Límites, 132
Commandancy of Army, 214, 229
Constitution, 1812, 27, 46
Constitutional Congress, deputies, 184
Cooley, A. W., Governor, 288, 330
Cooper, Stephen, 49
Cooper Shop, 230
Corbett, J. W., 224
Cordoba, Treaty of, 140
Cortes, 47-50
Cosby, Governor, 139
Council Room, 160; expedition to, 170
Courts, circuit, constitutional, 289; new court urged, 271, note 227
Coyotes, 21, 242
Crabbe, Thomas, 10; duties, increase, 242, 243, 252; note 210; trade, 229, 238, 240

Davis, W. W. H., Spanish Conquest of New Mexico, cited, 34, note 27, 39
Dawson, postal, 281, note 272
De la O, Bonifacio, x citation, 77, 83
De Mores, Julius, 28, 38; negotiations of, 330-332
Departments, 4, 5
Depredations, Garrison, salary, etc., 121, note 112
De Vargas, General Don Diego, Reconquest, Julian Ponce de Leon, coat of arms, 227; picture, 228, reconquest, 169, 228-230; inscription on El Morro, 229; capture of El Paso, 228, 229;

departs for Zuñi, 291; Rio Puerco, 292; San Phelipe, 292; Acoma, 293; messages to Indians, 295; reply, 296; watering place, 296; signature, 296; returns to Zuñi, 301; El Morro, 302; Zuñis arrive, 302, 303; Apaches, 304; enters Zuñi, on rock, 304; baptisms, 305; church ornaments recovered, 305-307, 420-435
Diet at Worms, 139
Diezmos, 149
Doctors, 36
Dodge, Capt. H. L., 319
Dominguez Joseph, 1692, 289
Doña Ana Colony, grant, 13, note 15
Dublan y Lozano, *Compilacion*, quoted, 48, note 81; cited, 251, note 200; cited, 260, note 228; cited, note 244; 367, note 329
Duran, Agustin, 253, 356, 364, note 321
Durango, 11; bishop, 135; capital, 150; deputation, 163; proposition, 164; objections to Chihuahua, 167, 168; state, 168, 285, 350, note 292, 356

Ecclesiastical Affairs, expenses, 236, note 167; improvement in, 246, note 187, 247, note 188; synod at Durango, 268, note 248; Presbyter Martinez, 1832, 280; Barreiro quoted, 286, note 279, 287, note 282, 351, 356, 357, note 309, 359, 360
Echavarri, General, 159
Education, efforts, 151, 159; Santa Cruz, Alburquerque, 238, note 171, 247-249, notes 195, 196, 197, 258, notes 222, 223; funds, 273; schools, note 262; fund, list, in 1832, 283, note 275, 349, 350, note 292, 351, 358
Edwards, Hayden, grant, 250, note 198
Electoral Junta, 241, note 176, 271, note 259
Ellison, Harvey, 349, note 289
El Paso del Norte, 12; New Mexico, 13; part of Chihuahua, 13; ayuntamiento, 13, note 15, 17; vineyards, population in 1832, 30, note 45; census 1806 and 1822, 33, note 53; brandy, wine, 35; customs duties, 40; deputy from, 149, 151, 154; school, 159, 162; partido separated, 169; part of Chihuahua, 169, note 152; De Vargas, 288-290
Emory, Lieutenant, *Notes of Mil. Rec.*, cited 34, note 57
Escudero, José Agustin, quoted, trade, 260-261, 355
Escudero, editor, note 3, *Noticias Hist. de Chih.*, 14, note 16; cited 17, note 17; cited 263, note 237
Escudero, Don Manuel Simon, trade with United States, 170, 251, note 201, 264
Espejo, Don Antonio de, pueblos, 25; population, 25
Ethnology, stocks, Indian, Spaniards, 23; map, note 27; politeness, 33

Fairs, 39
Farias, Gomez, 354, 367
Federative State, proposed, 163-164
Ferdinand VII, 47, 48, 140
Fernandez de San Vicente, Don Agustín, 246, note 187
Finances, revenue, fees, 239; expenses, 240, 241, 251-253, 274, 277, 285, 351, 358, note 309, 359
Florida, acquired, 9, treaty of 1819, 12
Fondo de gratificacion, 240, note 173
Forced Loan, 267, note 254
Foril, Fr. Juan Caballero, 258, note 221
Fort of the Misuri, 170
Frailes, Franciscans, 23, 131-139; methods, 135-136, 246-249; Arizona, 258; stipends, 258; Spanish, expelled, 267, note 244; fees, 281, note 272
Franklin, Missouri, 12, 169, 251
Freemasonry, 257
Fredonian War, 249
French, explorers, 12; trade, 38
Fueros, 43-44

Gaceta Imperial, quoted, 11
Game, 37
Garcia, Rafael, 364, note 320
Garzia, Diego, 1692, 289
Gefe Militar, 45
Genízaros, 31
Gid, Juan, 162
Glenn, Captain, 39
Godoy, 47
Gold, Old Placers, 263, note 235
Gomez Pedraza, 265
Gorman, Rev. Samuel, biography, 308-331
Grants, 13, note 15; pueblo, community, 22; Hayden Edwards, 250; disputes, Armijo, 259, note 225, 226; quoted, 261, 262
Grazing, 37
Gregg, Dr. J., *Commerce of the Prairies*, quoted, 24, 25, notes 28, 31; quoted, 27, note 40; quoted, 33, 36; cited, 44, note 73, 137, notes 91, 92, note 202, note 231; quoted 247, 355, note 302, 357, note 307; quoted, 360; cited 368, note 330
Grito de Dolores, 47
Guadalajara, Audiencia, 45
Guadalupe Hidalgo, treaty, 56
Guadalupe Victoria, 156, 175, 265

Lacoadero, Don Manuel Simon, trade with
United States, 170, 231, note 201, 284
Lapejo, Don Antonio de, pueblo, 53;
  population, 53
Libanoff, Nicola, Indian, Spanish,
  53; map, note 57; politeness, 53

Mais, 39
Marina, Gomez, 334, 347
Motor City State, proposed, 183-184
Mendoza VII, 47, 48, 140
Menendez de San Vicente, Don Agus-
  tin, 210, note 187
Mexicans, revolts, foes, 270; expenses,
  240, 241, 251-254, 271, 277, 285, 321,
  328, note 209, 329
Mexico, acquired, 9; treaty of 1819, 12
Mondo de gratificacion, 240, note 175
Monroe Doctrine, 227, note 224
Monti, Fr. Juan Caballero, 226, note 221
Mort of the Miami, 170
Moralez, Francisco, 33, 121-130; murde-
  red, 125-126, 246-249, Arizona, 232;
  stipends, 232; Spanish, acquitted, 207,
  note 244; foes, 221, note 275
Mexicans, Missouri, 12, 169, 231
Mexicanary, 227
Mexican War, 249
Mexico, explorers, 12; trade, 36
Mexico, 42-44

Gazeta Imperial, quoted, 11
Gazes, 27
Garcia, Rafael, 304, note 259
Garcia, Diego, 1805, 289
Gate Mulatar, 43
Gastanare, 31
Gad, Juan, 185
Glenn, Captain, 39
Godey, 47
Gold, Old Plazes, 283, note 239
Gomez Pedraza, 226
Gorman, Rev. Samuel, biography, 304-
  331
Grants, 13, note 13; pueblo, community,
  33; Hayden Edwards, 230; disputes
  Arrejo, 230, note 232, 238; quoted,
  281, 282
Grazing, 27
Grogan, Dr. J., Commerce of the Prairies,
  quoted, 24, 26, notes 23, 31; quoted,
  37, note 40; quoted, 38, 39; quoted,
  41, note 73, 127, notes 91, 92, note
  202, note 231; quoted 247, 252, note
  262, 327, note 307; quoted, 330; noted
  332, note 320
Grulla de Dolores, 47
Guadalajara, Audiencia, 43
Guadalupe Hidalgo, treaty, 39
Guadalupe Victoria, 138, 173, 203

Harris, Moses, 39
Hawkins, John, 39
Hayden, Edwards, 230, 231, 232, 233,
  234, 235, 236, 237, 238, 239, 240, 241,
  242, 243, 244, 245, 246, 247, 248, 249,
  250, 251, 252, 253, 254, 255, 256, 257,
  258, 259, 260, 261, 262, 263, 264, 265,
  266, 267, 268, 269,

Guerrero, Vicente, 265, 353
Gutierrez, Lorenzo, 46; deputy, Internal Provinces, 150, 154

Hacienda, La Bajada, 22
Heath, John G., see Juan Gid, 13, note 15, 162, note 136
Hewett, Edgar L., *Smithsonian Inst. Bul.*, cited, 25, note 33, 223
Hidalgo, 47
Hidalgo, Pedro, 423, 424
Hinojos, Captain, 257, note 219, 352, note 296, 361, note 316, 366
Hispano-American, civilization, 5, 6
Historical Society, New Mexico, *Mss.*, cited, 12, note 9; annual report, 1912, 102-109
Hodge, Frederick Webb, *Handbook of Am. Indians, Bul.* 30; classification of Pueblos, 26, note 38, 226
Holy Alliance, 49
Hozio, Fr. Francisco de, 142
Houck, Miguel, 353, note 298
Houghton, Judge, 92
Hubbell, Judge, 92
Hunger, 259
Hurtado, General Juan Paez, 1692, 299, 300, 307
Hydalgo, Pedro, 423

Iguala, Plan of, 140, 141; reached Santa Fe, 141; annulled, 161
Imprisonments, fines, etc., 152
Indians, scourge, 11; depredations by, 11; gentile, 23; Pueblo, 25-27; tax contributions from Pueblos, 240; fondo de gratificacion, 240, note 173, 366, note 324; conflicts, 1862-1863, 386-419; list of battles, 397-419
Inquisition, 48, 49, 137, 138, note 94
Internación, 243, 274
Internal Provinces, created, 43
Internal Provinces of the West, Durango, capital, 150
Internal State of the North, 167
Isleta, pueblo, De Vargas, 1692, 291
Iturbide, Don Agustín de, 140; emperor, 141, 154, 156; abdication, 160, 161, 164

Jackson, Andrew, President, Texas colonization, 4
Jalapa, Plan of, 270
Jamestown, 9
Jemes, 13, 355, 366
Jesuits, suppressed, 138, note 94; expelled from Arizona, 258; temporalites, listed, 267, note 244
Jicarillas, 352, note 297
Jornada del Muerto, 13, 169

Kearny, Gen. Stephen Watts, conquest of New Mexico, 176
Kendall, *Texas-Santa Fe Expedition*, cited, 13

La Bajada, hacienda, 22
La Lande, Juan Bautista, 38
La Garza, Eleuterio Maria, 271
Laguna, 13; Gorman, 318, 355, 366
Lancasterian, school, 248
Las Vegas, Taos rebellion, operations of army, 199, 200
Lawyers, 36; none in New Mexico, in 1830, 271
Legislative Journals, *Mss.* 1822-1846; cited, 13, notes 12, 13
Leone, Rev. Alexander, S. J., biography, 230-231
Lester, Felix H., biography, portrait, 101
Leyba, José Francisco, 162, 350, 356
Liberty, civil-religious, 139
Lincoln, Abraham, 51, 54
Linder, General, *Reminiscences*, quoted, 51, 54
Liquors, 35
Live stock, 18, 19, note 20
Louisiana, 5; purchase, 9, 10; boundaries, 13
Lucero y Godoy, Juan de Dios, 1692, 291-297, 300-303, 420-435
Lucero y Godoy, Francisco, 421
Lucero, Antonio, *Spanish Americans, virtues of*, 443-446
Lummis, Charles F., 224
Luna, Solomon, biography, portrait, 96-98
Luther, Martin, 139

Madariaga, Fr., 248, 364, note 320
Madrid, Roque, 1692, 289, 295; signature, 296, 299, 300-304, 307, 420-435
Mail, 15 16
Manners, 33
Manzanas, Plan of, 364, note 318
Marriage, barriers, 32
Marquez, Francisco, 1692, 289
Marquez, Pedro, 1692, 289
Martin, José Maria, death sentence, Benedict's, 83-85
Martinez, Rev. Antonio José, 173; Taos, villa, 173; school at Taos, 249, note 195; Durango Synod, 268, 269; deputy, 272; quoted, 1832, 280, 348, 350, 357, note 308, 359
Martinez, Capt. Candelaria, biography, 448, 449
Martinez, Fr. Manuel, 258, note 221
Maryland, 139
Masonry, 359

Guerrero, Vicente, 285, 322
Gutierrez, Lorenzo, 46; deputy, Internal Provinces, 150, 184

Hacienda, La Salada, 22
Hamlin, John C., see Juan Cid, 12, note 12, 182, note 130
Hewett, Edgar L., Antiquarian Inst. Bul. cited, 25, note 36, 222
Hidalgo, 47
Hidalgo, Pedro, 422, 424
Hinojos, Captain, 227, note 218, 232, note 256, 301, note 318, 368
Hispano American civilization, 7, 8
Historical Society, New Mexico, Mss. cited, 12, note 9; annual report, 1912, 102-109
Hodge, Frederick Webb, Handbook of Am. Indians, Bul. 30; classification of Pueblos, 28, note 38, 222
Holy Alliance, 49
Hoxie, Fr. Francisco de, 142
Houck, Miguel, 223, note 203
Houghton, Judge, 92
Hubbell, Judge, 92
Hunger, 229
Hurtado, General Juan Pas, 1802, 229, 300, 307
Hydalgo, Pedro, 422

Iguala, Plan of, 140, 141; repeal San Ta Fe, 141; annulled, 181
Imprisonments, days, etc., 122
Indians, scourge, 11; depredations by, 11; pueblo, 28; Pueblo, 25-27; ten contributions from Pueblos, 240; formula de de gratification, 240, note 172, 302, note 224; condicta, 1802-1803, 230-419; list of battles, 201-419
Inquisition, 44, 46, 127, 128, note 94
Internecion, 244, 274
Internal Provinces, created, 43
Internal Provinces of the West, Duranpo, capital, 130
Internal State of the North, 127
Isleta, pueblo, De Vargas, 1692, 201
Iturbide, Don Agustin de, 140; emperor, 141, 154, 156; abdication, 180, 181, 184

Jackson, Andrew, President, Texas colonization, 4
Jalapa, Plan of, 270
Jamestown, 9
James, 12, 223, 262
Jesuits, suppressed, 128, note 94; expelled from Arizona, 228; temporal ties, listed, 207, note 244
Jimenez, 222, note 207
Jornada del Muerto, 12, 189

McCoy, William, 223
McFie, John R., 223
McGaffey, L. K., biography, 450
McKnight, Robert, 38
Meline, J. F., quoted, 386, note 1
Melgares, Don Facundo, governor, report, 29, note 44, 45 49, note 85, 141, 145, 150, 153; gefe militar, 154; charges, 155, note 119; exonerated, note 119
Mesilla Valley, 13, note 15
Mestizos, 31
Mexia, De Vargas, 1692, 291
Mexico, 5, 6; independence of, 9; city of, 11; independence, 11; Spanish power failing, 140; independence, 140-149; empire abolished, 156; Victoria, president, 175; Austin's Exposicion, 250, 251; Spanish invasion, 1829, 266, 351
Military Affairs, 45, 46; Navajós, 162, note 137; poverty of troops, 237, 245, notes 183, 184, 251, note 205, 285, 351, 352, notes 296, 297, 364, 366; volunteer soldiers 1862-1863, 386-419
Mines and Mining, 19, 37
Minister of Hacienda, 242
Miranda, Don Guadalupe, school, 284, note 248, 278
Missions, 14; table of, 28, note 43, 134-139, 271, note 257, 286, 287
Missouri Compromise, 9
Missouri Intelligencer, quoted, 170
Missouri Republican, quoted, 254, 268
Money, 40, 41; counterfeit, 239, note 172
Montana, 5
Montoya, Diego, 253
Montoya, Nerio Antonio, 364, note 320
Montoya, Pablo, 247
Moqui, De Vargas, 1692, 24, 291
Mora, battle at, Taos rebellion, 1847, 199-202
Morrison, William, 38
Mountains, Black, 23
Museum of New Mexico, *report*, 1913, 110-128, 223, 224

Napeste, River, 20
Napoleon, 1st, 47
Narbonna, Don Antonio, 18, 19, note 20; appointed governor and gefe politico, 244; Sonora, 244; Ortega incident, 245, note 181, 252; statistics, 253, 254; retirement of, 256
Navajós, 11, 24; peace with, 46, note 79; depredations of, 159, 162; treaty, 166, 167, note 146, 355
Nevada, 5
New Mexico, integral parts, 3; commercial relations with, 4; negro slavery, 4, 5; acquisition of, 5; in 1822, 9-49; colonial, 9; province of, 9; settlements of, geography, 9; distrust of the United States, 10; isolation of, 10; Pino, services to Crown, military, etc., 10, 11; value of to Spain, 11; Indians, 11; map, description, 1822, 12; boundaries of, 13; El Paso in, 13; settlements in 1822, 14; pueblos, missions. mines, minerals, ports, presidios, plazas, haciendas, ranchos, 14; villas, cities, 14, 15; distances, post-offices, 15, 16; resources 17-22; live stock, 19; mines and minerals, 19; rivers, 20; people, 23-25; missions, 28; census, 29; population, 1822, 30; economic activities, 36-42; trade, 40, 41; exports, 42; provincial government, 43-45; Spain, 49, note 85; citizenship, 1849, Sandoval case, Benedict's opinion, 56-75; De la O case, 75-83; church in, 131, 139; neglect of, 135; narrative, 1821-1837, 140-175; independence, news of, 141; ceremonies, 141-145; electoral junta, 145; deputy elected, 146; expenses, resources, finances, 153; responsibility of civil administration, 155, note 119; province waiting upon nation, 156-165; finances, 156; levies, 157; boundaries, 157, 158, note 127; Iturbide's abdication, predicament, resolution, 161; Federative State, 164; becomes territory, 166; Navajós, Vizcarra, note 144; form of government, 167, note 147; Internal State of the North, Chihuahua, 167; views of, 168, partido of El Paso, 169; intercourse with the United States, 169, 170; expeditions to, 170; commerce of the prairies, 172; duties, 172; territory, 174, note 163; ceremonies, 174; Guadalupe Victoria president, 175; Taos rebellion, 176-209; Kearny's conquest, 176; Sterling Price, 176; conspirators, list, 176, note 2; economic matters, 235, 243; Spanish laws in force, 234; national taxes suspended, 237; education, 238; comptrollers, 238; finances, internal taxes, 239; deputies' expenses, 240; 1st territorial deputation, election of deputies, 242, note 177; development, 244; Narbonna, 244; 2nd deputation, list, 246, note 185, 186; education, 247-249, 251; finances, 251, 253, notes 206, 207; Narbonna, retires to Sonora, 256 Armijo, gefe politico, 265; church pol-

McCoy, William, 223
McNie, John R., 223
McArthur, L. K., biography, 420
McKnight, Robert, 38
Mellon, J. P., quoted, 388, note 1
Melgares, Don Facundo, governor, re-
port, 29, note 44, 45, 48, note 83, 141,
145, 150, 153; gets militar, 154;
charges, 155, note 119; exonerated,
note 119
Mesilla Valley, 13, note 18
Mestizos, 31
Mexia, De Vargas, 1802, 201
Mexico, 5, 6; independence of, 9; city
of, 11; independence, 11; Spanish
power failing, 140; independence,
140-149; empire abolished, 150; Vic-
toria, president, 172; Austin's Ex-
pedition, 220, 221; Spanish invasion,
1820, 226, 231
Military Affairs, 45, 48; Navajos, 102,
note 137; poverty of troops, 237, 243,
notes 183, 184, 221, note 205, 282,
321, 322, notes 206, 207, 264, 265;
volunteer soldiers 1862-1863, 386-419
Mines and Mining, 19, 37
Ministry of Hacienda, 242
Miranda, Don Guadalupe, school, 224,
note 248, 278
Missions, 14; table of, 24, note 43, 124-
130, 271, note 227, 240, 287
Missouri Compromise, 8
Missouri Intelligencer, quoted, 170
Missouri Expedition, quoted, 224, 228
Money, 40, 41; counterfeit, 220, note
172
Montana, 5
Montoya, Diego, 222
Montoya, Nerio Antonio, 364, note 320
Montoya, Pablo, 247
Mogul, De Vargas, 1802, 24, 221
Mora, battle at, Taos rebellion, 1847,
189-202
Morrison, William, 38
Mountains, Black, 23
Museum of New Mexico, report, 1913,
110-128, 222, 224

Nepeata, River, 20
Nepoleon, 1st, 47
Newbonara, Don Antonio, 18, 19, note
20; appointed governor and vice-re-
gent, 244; Secora, 2144; Ortega in-
cident, 242, note 181, 282; resistance,
282, 284; retirement of, 286
Nevada, 11, 21; peace with, 40, note
79; depredations of, 130, 182; treaty,
186, 187, note 140, 288
Nevada, 5
New Mexico, integral parts, 3; coal-

icy and influence, 257; Armijo, 264; fourteen executives in eight years, 266, note 242; forced loan, 267; federal neglect, powers of deputation, 272, note 260; school funds, 273; Santa Fe trade, U. S. troops, 275; statehood, 1st effort for, 277, 278, note 271, 1832; opinions, 280, 287; ayuntamientos, 1832, 282; government of, 283; schools, 283; customs receipts, 284; De Vargas, re-conquest, extracts from journal of, 1692, 288-307; turbulent year, 347-368; education, 350, 351, 352, note 296; reaction, 355; finances, 358, 359; pronunciamento, 360, note 316; patriotic society, 364, note 321; imprisonment of Chouteau and DeMun, 369-385; Indian Conflicts, 1862-1863, 386-419; volunteer soldiers, 386-419
New Mexico under Mexican Administration, 1822-1845, Lansing Bartlett Bloom, letter as to age of Santa Fe, 336, 337; criticism of *Revista Católica*, 337-341; by Fr. Zephyrin as to bible, 341, 342
Nieto, Cristobal, 1692, 289
Niles Weekly Register, cited, notes 153, 155, 157, 159, 198, 204; quoted, 267
Norton, *Story of California*, quoted, 439
Nueva Leon, 11, 251
Nusbaum, Jesse Lee, 334

Ochoa, Col. Don Gaspar, 159, 160
O'Donojú, viceroy, 140, 145
O'Fallon, Major, Indian agent, 170, note 156
Oficios, 16, 153
Ojeada sobre Nuevo Mejico, 17, note 17, 19, note 21; cited, notes 25, 26, 365, note 323
Ojo Caliente, 13, 356, 366
Old Santa Fe, 5; editorial, purposes, 95; editorial, 226-227, notes, reviews, communications, 335-337; statement, 344, 436-450
Olguin, Juan, 1692, 289
Oñate, Juan de, 12; El Morro inscription, 1606, 337
Oregon, 5
Ortega, Pablo, alcalde, 245, note 181
Ortiz, Antonio, 168, 247, 264
Ortiz, Fernando, 364, note 320
Ortiz, Gregorio comptroller, 238
Ortiz, José M., deputy, 264, note 239
Ortiz, Juan Felipe, 249; Durango synod, 268; statehood, 278, 350
Ortiz, Juan Rafael, quoted, 153 349, 356, 364, note 320
Ortiz, Tomas, Taos Rebellion, 178, 179, note 4
Outline, 7

Palace of the Governors, 256, notes 217, 218; pictures of, 1913, 332; story of, 333-336
Palacio, El, periodical, 447-448
Paper, 153; sealed, 242
Parochial church, Santa Fe, picture, 192
Parral, 259
Partidos, 29; taxes, 157
Paton, Prof. L. B., 223
Pattie, James, 171; copper mine, 259
Pedraza, Gomez, 265, 353
Penitentes, 247, note 148
Peonage, 34, notes 56, 57
Perea, Francisco J., quoted, 138, note 95; biography, portrait, 210-222
Perez, Albino, 355, 359, 367
Perez, Demetrio, biography, 449
Pike, Lt. Zebulon M., 10, note 4; quoted, Apaches, 23; quoted, 33, 36
Pino, José Francisco, 46
Pino, Juan E., 270, 271, 272; statehood, 278, 364, note 321, 366
Pino, Pedro Bautista, 10; Louisiana Purchase, 10; needs of New Mexico, 10; cited, 11, notes 5, 6; quoted, 17; deputy to Cortes, 17, note 17, 18, note 19; quoted, 19; quoted, Apaches, 24, 40, 41; military affairs, 45-47; deputy, 47; return of, 49; re-elected, 49, note 85; church, etc., 131-133, 136, 152, note 114; claim, 154
Pitic, Plan of, 285
Plan of Jalapa, 270
Plazas, 14, 15
Polk, James K., 4
Population, 28, 29, notes 43, 44
Porcel, Antonio, 49
Post Offices, post roads, 15, 16
Pratte and Co., B., 275
Presidios, 14, 46
Price, Gen. Sterling, Taos rebellion, portrait, 176-209, battles, 186; report, 187
Priests, secular, 135
Prince, L. B., cited, 355, note 301
Printing press, 279, note 271, 365, notes 322, 323
Pronunciamento, 1834, 360, note 316; signatures, 362, 363, note 316
Provincial Deputation, 13, note 15; created, 48, note 81; installed, 147, note 105, 158, 159, 165; members of, 1823, note 141
Pueblos, 14, 15; Indians, 25; rites, 26; census, 28, note 43, 29, 31
Puritan, 139

Quarai, ruins of pueblo of, picture, 223, 225
Quintana, J., 364, note 318

Ochoa, Col. Don Gaspar, 159, 163
O'Donnell, Viceroy, 140, 145
O'Fallon, Major, Indian Agent, 170, note 159
Ohkay, 18, 153
Ojeada sobre Nuevo Méjico, 17, note 17, 19, note 21; cited, notes 22, 29, 365, note 323
Ojo Caliente, 13, 356, 366
Old Santa Fe, 5; editorial, purposes, 95; editorial, 228-227, notes, reviews, communications, 225-227; statement, 324, 436-439
Olguin, Juan, 1692, 289
Oñate, Juan de, 12; El Morro inscription, 1605, 327
Oregon, 5
Ortega, Pablo, alcalde, 243, note 181
Ortiz, Antonio, 164, 247, 264
Ortiz, Fernando, 361, note 329
Ortiz, Gregorio comptroller, 238
Ortiz, José M., deputy, 264, note 230
Ortiz, Juan Felipe, 240; Durango synod, 238; statehood, 278, 330
Ortiz, Juan Rafael, quoted, 183, 340, 356, 364, note 329
Ortiz, Tomás, Taos Rebellion, 178, 179, note 4
Otermín, 7
Palace of the Governors, 256, notes 217, 218; pictures of, 1912, 222; story of, 333-339
Palacio, El, periodical, 447-448
Paper, 133; rental, 242
Parochial church, Santa Fe, picture, 102
Parral, 239
Partido, 29; taxes, 187
Paton, José L. R., 223
Pattie, James, 171; copper mine, 329
Pedraza, Gomez, 262, 333
Pedregosa, 247, note 143
Pecanaque, 51, notes 26, 29
Peras, Francisco d., quoted, 139, note 85; inscription, portrait, 210, 222
Peras, Sabino, 325, 329, 337
Peras, Demetrio, biography, 448
Pike, Lt. Zebulon M., 19, note 4; quoted, 24, Apaches, 32; quoted, 88, 90
Pino, José Francisco, 48
Pino, Juan B., 270, 271, 272; statehood, 278, 294, note 241, 299
Pino, Pedro Jesús, 16; Louisiana Purchase, 16; cause of New Mexico, 16; cited, 17, 18; quoted, 17; deputy to Cortes, 17; note 17, 18, note 19; quoted, 19; general, Apaches, 34, 40, 41; military affairs, 42-47; deputy, 47; reports of, 48; quoted, 49, note 47; chronicle, etc., 121-138, 144, 152, note 114; claims, 204
Pitic, Plaza of, 256
Plan of Jalapa, 270
Plaza, 14, 15
Polk, James K., 4
Population, 28, 29, notes 83, 44
Portal, Antonio, 10
Post Office, Post roads, 15, 16
Pratte and Co., M., 220
Presidios, 14, 45
Price, Gen. Sterling, Taos rebellion, portrait, 178, 179, battles, 180; reports, 187
Prince, account, 122
Prince, L. B., cited, 285, note 201
Printing press, 274, note 271, 282, notes 282, 283
Pueblo Indians, 1724, 260, note 219; agitations, 1837, 180, note 178
Pueblo Revolt, Introduction, 12, note 12; quoted, 42, note 41; installed, 147, note 102, 103, 104, 107; members of, 1822, note 107
Pueblos, 10, 30; Indians, 32; tribes, 32; customs, 32, note 32, 33, 34
Purdue, 129
Quarai, ruins of pueblo of, pictures, 232, 233
Quintana, J., 264, note 218

Rada, Br. Manuel, proposal as to fees, 236, 237, note 167; alternate deputy, 241, note 176; deputy to congress, 265, note 240, 266; advance views of, 269
Rael de Aguilar, Alfonso, 1692, civil and military secretary, 289, 291, 292, 293, 295; signature, 295, 299-304, 307, 420-435
Rascón, Juan Rafael, vicar, 249, 258, 350
Read, Benjamin M., *Illust. Hist. of N. M.*, cited, note 1; cited, 31, note 47
Red River, Taos rebellion, military operations, 1847, 203-209
Reformation, Europe, 139
Regency, 47
Religion, catholic, 27; expense, 236; stipends, 258
Revenue, 238, 239; municipal, 240; consumo tax, 274, 276, 277, 285
Revista Católica, criticism of Bloom, 337-341, 436-439
Rio Bravo del Norte, French claims, 12; steamboats, horse-boats, 263
Rivers, 20; steamboats, 263
Rives, *United States and Mexico*, quoted, 438
Robidoux, Antonio, 364, note 318
Ronquillo, José Maria, 352, note 296
Rubin de Celis, Fr. José Pedro, notes 43, 44; report, 135, 249
Ruiz, Antonio Nepomuceno, 29
Ruiz de Caceres, Juan, 1692, 289; sergeant, 291
Ruxton, G. F., *Travels in Mexico*, quoted, 183, 184, note 7

Sacramento, Mountains, 169
Salazar, José M., comptroller, 238
Salpointe, J. B., cited, 27, notes 41, 42, 247, note 188, 357, note 308, 359, note 313
Salt, deposits, 240
Saltillo, 11, 12
Sanchez, Fr. Mariano, 270
Sanchez, Don Pedro, *Mems.*, cited and quoted, 249, note 195; quoted, 280, 281, note 273, 365, note 323
San Bartolomé, fair, 40
San Ildefonzo, 29
San Juan, 29
San Luis Potosi, 11, plan of, 163
San Miguel del Bado, 13
Sandoval, Anastacio, citizenship, 56-75
Sandoval, M., 364, note 318
Santa Anna, Gen. Antonio Lopez de, proclamation, 156, 159; communication from, 163, 265; repels Spaniards, 266, 353, 354, 359, 367; reactionary policy, 368, note 330
Santa Cruz de la Cañada, schools, 238; comptroller, 238, 249, 258
Santa Fe, settlement of, 9, note 1, distances from, 12; census, 28, note 43, 29, note 44; news of independence of Mexico, ceremonies, 141-145; ayuntamiento, 160; road to, 171; postmaster, 173; founded, when, 226, 227; comptroller, 238; trade, 243, note 180, 251; district judge, 259; ayuntamiento, Armijo, disputes, 264, notes 238, 239; finances, 273; founded, 336-337, 364
Santa Fe Gazette, newspaper, editorial, 1865, Benedict, 86-90
Santa Rita, copper mine, 259
Santa Teresa, grant, 13, note 15
Sarracino, Francisco, 264, 248, 355, note 300, 366
Sarracino, Rafael, 264, 248, note 287, 354, 364
Secularization, 135, note 88; Martinez requests, 173, 247, note 189, 248, 287, 359
Sevilleta, new settlement, 13
Serrano y Aguirre, Francisco Perez, 49, note 85; deputy, 146, 155, note 118, 156, 157, note 123; comptroller, 238
Sheep, 37, 284, 285
Sibley, G. O., 171, note 157
Silba, José, 367
Simpson, Lt. J. H., *Journal*, etc., 277, note 268
Slave states, 9
Slavery, negro, 4; results of, 5, 9; peonage, Indian captives, 31, 32
Smallpox, 135
Socorro, 12, 13
Sonora, Narbonna, 256
Sovereign Constituent Congress, 148, 150, 153
Spain, 1805-1824, 47, 48
Spaniards, population in New Mexico, 27; expulsion of, 258, note 221; invade Mexico, 266; expulsion, 267, note 244; refugees, 268, note 247
Sports, native, 35
Staab, Abraham, biography, portrait, 98, 99
Statehood, first efforts for, 277, 278, 279, note 271; detail of expenses, note 271
Statement, ownership, 344
Steamboats, Rio Grande, 263
Storrs, Augustus, 172
St. Vrain, Céran, portrait, 184, 207-209; letter on trade, 275, 276
Subiría, Antonio Lopez de, bishop of Durango, 269, note 252, 281, 357
Sublette, M. J., 261, 262
Sublette, William, 261, 262
Sun Dial, plaza, Santa Fe, 254, 255

Beals, Dr. Manuel, proposal as to fees, 236, 237, note 181; alternate deputy, 241, note 176; deputy to congress, 203, note 240, 286; advance views of, 208
Beal de Aguilar, Alfonso, 1802, civil and military secretary, 230, 231, 232, 233, 235; algvazils, 232, 230-304, 301, 420-423
Bascoe, Juan Rafael, vicar, 242, 258, 259
Beal, Benjamin M., Illust. Hist. of N. M., cited, note 1; cited, 31, note 47
Red River, Texas rebellion, military operations, 1841, 202-209
Reformation, Europe, 139
Regency, 47
Religion, catholic, 21; expense, 234; methods, 238
Revenue, 233, 238; municipal, 240; commerce tax, 274, 276, 277, 283
Revista Católica, criticism of Bloom, 231-241, 450-456
Rio Bravo del Norte, French claims, 12; steamboats, boundary, 202
River, 20; steamboats, 202
River, United States and Mexico, quoted, 438
Robidoux, Antonio, 364, note 318
Rosanello, José María, 322, note 296
Rubio de Celis, Fr. José Pedro, notes 42, 44; report, 122, 240
Ruiz, Antonio Representacion, 29
Ruiz de Cuevas, Juan, 1802, 240; report, 291
Ruxton, G. F., Travels in Mexico, quoted, 183, 184, note 7

Sacramento, Mountains, 180
Salazar, José M., comptroller, 244
Salcedo, J. B., cited, 27, notes 41, 42, 247, note 188, 307, note 304, 320, note 313
Salt, deposits, 240
Saltillo, 11, 12
Sanchez, Fr. Mariano, 270
Sanchez, Don Pedro Alcan., cited and quoted, 210, note 185; quoted, 280, 281, note 272, 285, note 322
San Bartolomé, fair, 40
San Ildefonso, 29
San Juan, 29
San Luis Potosí, 11, plan of, 182
San Miguel del Bado, 13
Sandoval, Anastasio, ailments, 36-13
Sandoval, M., 364, note 318
Santa Anna, Gen. Antonio Lopez de, proclamation, 158, 159; commanding from Tampico, 167, 265; repels Spaniards, 266, 322, 324, 330, 367; reactionary policy, 368, note 330
Santa Cruz de la Cañada, school, 238; comptroller, 238, 240, 258
Santa Fe, settlement of, 8, note 1, dimensions from, 12; census, 28, note 62, 29, note 64; news of independence of Mexico, ceremonies, 141-143; organization, 160; road to, 171; postmaster, 173; founded, when, 228, 327; comptroller, 238; trade, 238, note 180, 321; district judge, 239; organization, Arnulo, disputes 244, notes 234, 236; Americans, 272; founded, 316-327, 364
Santa Fe Gazette, newspaper, editorial, 1823, Benedict 86-89
Santa Rita, copper mine, 239
Santa Teresa, grant, 12, note 18
Sarracino, Francisco, 206, 213, 320, note 300, 386
Sarracino, Rafael, 204, 284, note 287, 324, 364
Secularization, 122, note 89; Mexican, 117, 121, note 120, 218, 287, 288
Sepúlveda, new settlement, 12
Serrano y Azurza, Francisco Paula, 59, note 82; deputy, 146, 152, note 113, 152, 157, note 120; comptroller, 238
Sheep, 37, 284, 285
Sibley, G. C., 171, note 127
Silva, José, 287
Simpson, Lt. J. G., Journal etc., 277, note 264
Slave states, 9
Slavery, decree, 4; treaty of, 9, 9; passage, Indian captives, 31, 32
Smallpox, 132
Socorro, 12, 13
Sonora, Natchez, 239
Sovereign Constituent Congress, 188, 120, 122
Spain, 1802-1824, 47, 48
Spaniards, population in New Mexico, 27; expulsion of, 238, note 177; leave Mexico, 264, expulsion, 267, note 244; returns, 288, note 247
Sports, antics, 39
Stark, Alexander, biography, portrait, 98, 99
Statehood, first efforts for, 277, 278, 279, note 271; denial of expenses, note 271
Statesrights, sovereignty, 244
Steamboats, Rio Grande, 202
Storrs, Augustus, 172
St. Vrain, Ceran, portrait, 181, 207-209; letter on trade, 278, 278
Suárez, Antonio Lopez de, bishop of Durango, 239, note 282, 281, 307
Sublette, M. J., 284, 292
Sublette, William, 261, 292
Sun Dial, plaza, Santa Fe, 224, 225

Tamaulipas, 11, 251
Tamaron, bishop, 137, note 92
Taos, port of entry, 13; title of villa, 173; Martinez, curate, 173; rebellion, 1846-1847, 176, 209; list killed in massacre, 1, 186, 187; battle, description of, 188-195; list of killed and wounded, 196-198
Tapia, Cristobal de, 1692, 291; captain of the fort, 291 n
Taxes, national, suspended, 237, 277
Terrazas, Rev. J. T., 142; exposicion, 237, note 168
Territorial Deputation, 13, 241; list of, 1st, 242, note 177, 244, 245; 2nd, list of, 246, notes 185 186; 3rd, list of, 265 note 240; 4th list of, 271, note 259; powers of, 272; statehood, 279; authority, Barreiro, 282, 283, 349, 351; list, 354, note 299, 355 364, note 318, note 320, 366
Tesuque, pueblo, census, 29
Texas, 4; American colonization of, 4, 5; Indians, 11, 12; population, 30, note 45, 250
Third Order of St. Francis, 247, note 188
Three Guarantees, 144, 145, 161
Tierra Afuera, 16
Tithes, 237, 238, 273, 287, 356, 359
Titles, disputes, 259
Tobacco, 40
Toleration Act, 1649, 139
Tomé, 14, 15; genízaros, 31, note 48
Trade, 40, 41; exports, etc., 42; with United States, 169, 170, 174, 242, 243, 251; United States troops, 275; with California, 276, 277, notes 267, 268, 353, note 298
Traders, 10, 40, 41
Trappers, 10, 259; beaver, 260, note note 228, 261, note 232
Treaties, 1819, 12; of Valencia, 48; of Cordoba, 140
Trinity, river, 250
Turley, Simeon, 183, notes 7, 8
Twitchell, R. E., *Leading Facts of N. M. Hist.*, cited, 247, note 189, 266, note 243, 270, note 255, note 268, note 272, cited, 366, note 324
Tyler, John, 4

Ulibarri, Juan de, 1692, El Morro inscription, 288
Ulivarri, Santiago, 364, note 320
United States of America, 3, 4; civil war, 5, 9; intentions of, 10; French claims ignored, 12; intercourse with, 39; traders from, 152; commercial relations with, 169; commissioners Santa Fe Trail, 171; troops on Santa Fe Trail, 275
University of California, library, 262, note 234
Urrutia, Joseph de, map of Santa Fe, 332
Utah, 5; Indians, 11

Valencia, treaty of, 48
Valencia, 356
Valverde, 12
Van Buren, Martin, 4
Vera Cruz, consulate, 41, 42, 47, 49; ayuntamiento, 159
Vetancurt, *Cronica*, cited, note 1
Victoria, Guadalupe, 156, 175, 265
Vigil, Don Donaciano, letter, 276, note 264
Vigil, Don Juan Bautista, 142, 148, note 106, 164; deputy, 168; revenues, 239, 242, 247; 1st alcalde, 264; pay of, 264, 265, 364
Villas, 14
Vineyards, 17
Virginia, 9, 139
Visitas, 135; list, 136
Vizcarra, Col. José Antonio, gefe militar, 155, note 120, 121, gefe politico, 155, 156, Navajos, 159, loyalty of, 160, governor interino, 160, 164, Navajos, 166, treaty with, note 146, retired, 244, resumes command, 257, 270, note 255, 352
Vocales, 146, 149, note 109
Voz de la Patria, cited, 262, note 234
Wallace, Gen. Lew, 440-441
Walter, Paul F. A., 333, 334
Washington, Col. J. M., 56
Waterpower, 20
Water rights, disputes, 259
Weightman, Col. R. H., trial of, 55, 56
Weights and Measures, 18, note 19
Wingate, Ft., 389
Wolfskill, José G., trade with California, 276, note 267
Wyoming, 5

Young, Ewing, trapper, trader, 261
Yutas, Indians, 24, 25, 46 note 79

Zacatecas, 11
Zavaleta, Articles of, 354, 360, note 316
Zephyrin, Fr., criticism of Bloom, bible, 341, 343, 439
Zubiria, bishop, 357
Zuloaga, Manuel José, 253
Zuloaga, José Maria, 352, note 296
Zuñi, 19

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